
Issued Date: APRIL 6, 2024

From: Deputy Director Bonnie Glenn On Behalf Of Director Gino Betts Jr.
Office of Police Accountability
Case Number: 2023OPA-0451



Allegations of Misconduct & Director's Findings

Named Employee #1

- 1. Allegation #1:** 5.140 – Bias-Free Policing, 5.140-POL-2. Officers Will Not Engage in Bias-Based Policing

Finding: 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:

The Complainant—a bail enforcement agent—attempted to serve a warrant on a subject in an apartment. Named Employee #1 (NE#1) responded to the apartment but could not locate the subject. The Complainant alleged that NE#1 was rude and told him to “fuck off” based on his race.

Administrative Note:

OPA previously investigated this complaint under SPD’s professionalism policy in 2023OPA-0204. That complaint was resolved through Rapid Adjudication. Rapid Adjudication involves a minor to moderate policy violation that the named employee recognizes was inconsistent with policy. See OPA Internal Operations and Training Manual section 5.4(B)(vi). The named employee accepts discipline in place of undergoing a full OPA investigation. *Id.* The Complainant later alleged that NE#1 was rude and told him to “fuck off” based on his race, triggering this complaint.

This case was approved for expedited investigation. That means OPA, with the Office of Inspector General’s (OIG) agreement, believed it could issue a recommended finding 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 November 2, 2023, OIG certified OPA’s investigation as thorough, timely, and objective.

Summary of Investigation:

On October 10, 2023, the Complainant filed an online OPA complaint, writing that he was attempting to take a fugitive into custody when NE#1 told him to “fuck off.” The Complainant wrote that NE#1 expressed hate towards his race.

OPA investigated the complaint, reviewing the computer-aided dispatch (CAD) call report and body-worn video (BWV). OPA also interviewed the Complainant.

On May 12, 2023, at 11:39 PM, CAD call remarks noted, “[KING COUNTY SHERIFF’S OFFICE TRANSFER], INFO[RMATION] ONLY, BONDSMAN WILL BE SERVING WARRANT HERE, 3 ARMED BONDSMEN, SERVING APPROX[IMATELY] 2345, WILL [CALLBACK] IF THEY ARE DOING FORCED ENTRY, WILL [CALLBACK] WHEN DONE.”

NE#1 responded to an apartment and activated her BWV, capturing the following:

NE#1 requested the bail bondsmen to wait outside while she contacts the apartment’s resident. NE#1 knocked on an apartment door, and Community Member #1 (CM#1) opened it. CM#1 said his girlfriend lived there, not him. CM#1 consented to police entry. CM#1’s girlfriend also consented to a police search. NE#1 and officers searched the apartment. CM#1 expressed concern about the bail bondsmen knocking on the apartment door late at night because they withheld the name of the person they were trying to locate.

NE#1 and officers exited the apartment and reapproached the bail bondsmen. NE#1 told the bail bondsmen that a couple lived in the apartment and the female moved in a month ago. NE#1 said the subject they were trying to locate was not in there. A bail bondsman asked if the couple knew about the subject. NE#1 suggested the couple did not seem to know. A bail bondsman asked, “So, just to be clear, you didn’t ask them?” NE#1 said she did not know the subject’s name, and a bail bondsman provided it. NE#1 said, “Okay. Would you like to go ask them? Cause you’re being kind of disrespectful to me. You’re pissing me off.” A bail bondsman replied, “No, I’m just, I’m asking if you asked them.” NE#1 said, “Alright, you guys have a good night” while walking away, then said, “And fuck off.” NE#1 and officers exited the apartment grounds.

On May 24, 2023, OPA interviewed the Complainant under 2023OPA-0204, which did not address the bias-based policing allegation. The Complainant said he responded to an apartment with two coworkers after verifying the subject was tied to that apartment. He said a bail bondsman told NE#1 and dispatched the name of the subject they were trying to locate. He described the interaction with NE#1 consistent with the events captured on BWV. He described NE#1’s comments as awkward and unprofessional.

On October 27, 2023, the Complainant responded to OPA’s questions about his bias-based policing allegation. He wrote that NE#1 gave no indication of bias during her interactions with the bail bondsmen. He wrote that he was unsure about what caused NE#1 to “flip out of nowhere”

and be disrespectful. He wrote that there was no reason for NE#1's hostility, so he concluded that NE#1's bias was the only explanation that made sense.

Analysis and Conclusions:

Named Employee #1 – Allegation #1

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

The Complainant alleged that NE#1 was biased.

Biased policing means “the different treatment of any person by officers motivated by any characteristic of protected classes under state, federal, and local laws as well as other discernible personal characteristics of an individual.” SPD Policy 5.140-POL. It includes different treatments based on race. *See id.* Officers are forbidden from making decisions or taking actions influenced by bias and expressing prejudice or derogatory comments concerning personal characteristics. *See* SPD Policy 5.140-POL-2.

Here, there is no dispute that NE#1's comments, “you're pissing me off” and “fuck off” were unprofessional. This unprofessionalism was resolved in 2023OPA-0204. NE#1 appeared upset about the bail bondsmen questioning her investigation. The Complainant acknowledged that NE#1 gave no indication of bias during her interaction with the bail bondsmen. NE#1 had no reason to know the bail bondsmen's races. Therefore, based on the evidence provided and in review of the totality of the circumstances, OPA finds no evidence supporting the Complainant's conclusion that NE#1 engaged in bias-based policing.

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

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