



CLOSED CASE SUMMARY

ISSUED DATE: APRIL 8, 2024

FROM: DEPUTY DIRECTOR BONNIE GLENN ON BEHALF OF DIRECTOR GINO BETTS JR.,
OFFICE OF POLICE ACCOUNTABILITY

CASE NUMBER: 2023OPA-0459

Allegations of Misconduct & Director's Findings

Named Employee #1

Allegation(s):		Director's Findings
# 1	5.140 – Bias-Free Policing, 5.140-POL-2. Officers Will Not Engage in Bias-Based Policing	Not Sustained - Unfounded (Expedited)

Named Employee #2

Allegation(s):		Director's Findings
# 1	5.140 – Bias-Free Policing, 5.140-POL-2. Officers Will Not Engage in Bias-Based Policing	Not Sustained - Unfounded (Expedited)

Named Employee #3

Allegation(s):		Director's Findings
# 1	5.140 – Bias-Free Policing, 5.140-POL-2. Officers Will Not Engage in Bias-Based Policing	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:

Named Employee #3 (NE#3)—a sergeant—emailed all SPD sworn employees about heightened security concerns around Jewish worship sites in response to the October 7, 2023, Hamas terrorist attack on Israel. Named Employee #2 (NE#2)—an assistant chief—approved NE#3's email for dissemination. Named Employee #1 (NE#1)—a lieutenant—also emailed all SPD employees about heightened security concerns around Jewish and Muslim worship sites. The Complainant alleged that the named employees failed to direct officers to protect Muslim worship sites, constituting bias-based policing.

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 employees. As such, OPA did not interview the named employees involved in this case.

On November 9, 2023, OIG certified OPA's investigation as thorough, timely, and objective.



SUMMARY OF INVESTIGATION:

On October 13, 2023, an anonymous complainant—identified as a City of Seattle employee—filed an online OPA complaint, writing that emails sent to all SPD employees directed them to protect Jewish worship sites, but those emails failed to specify Muslim worship sites, even though Muslim worship sites were equally at risk. The Complainant claimed the City of Seattle only supported Israel, constituting bias-based policing.

OPA investigated the complaint, reviewing email correspondence and criminal intelligence bulletins. The Complainant provided no contact information for an interview.

On October 7, 2023, NE#3 emailed all SPD sworn employees that they “should be especially aware of any suspicious events around Jewish places of worship” in response to the October 7, 2023, Hamas terrorist attack on Israel. NE#3 attached a criminal intelligence bulletin of sensitive Jewish locations. NE#3 also wrote that NE#2 approved the email.

On October 8, 2023, NE#3 emailed all SPD sworn employees, attaching two lists of different places of worship that officers should know about. NE#3 apologized for not attaching the lists in her October 7th email. NE#3 attached a criminal intelligence bulletin of sensitive Jewish locations and a criminal intelligence bulletin of sensitive Muslim locations. NE#3 also wrote, “Please let me know if we are missing any places of worship from either list that may be in your precinct and/or area.”

On October 13, 2023, at 4:48 AM, NE#1 emailed all SPD employees, requesting everyone to remain vigilant and monitor sensitive locations. NE#1 noted no credible threats to the Seattle area, though the current intelligence situation was dynamic. NE#1 attached a criminal intelligence bulletin of sensitive Jewish locations and a criminal intelligence bulletin of sensitive Muslim locations. At 12:57 PM, NE#1 emailed all SPD employees, apologizing for any errors on the “previously provided list.” NE#1 attached an updated criminal intelligence bulletin of sensitive Jewish locations. NE#1 wrote that the updated bulletin reflected input from Jewish liaison officers.

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 the named employees failed to direct officers to protect Muslim worship sites, constituting bias-based policing.

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.* Employees are forbidden from making decisions or taking actions influenced by bias, prejudice, or discriminatory intent. *See* SPD Policy 5.140-POL-2.

On October 13, 2023, NE#1 emailed all SPD employees about remaining vigilant at both Jewish and Muslim worship sites and attached criminal intelligence bulletins of sensitive Jewish and Muslim locations. There is no evidence that NE#1 excluded Muslim worship sites from his emails. In fact, NE#1’s follow-up email later that day was intended to update the criminal intelligence bulletin of sensitive Jewish locations after he received input from Jewish liaison



officers. Thus, the Complainant's bias-based policing allegation is unsubstantiated because NE#1's email included both Jewish and Muslim worship sites. No evidence suggests NE#1 was motivated to protect only Jewish worship sites.

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

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

Named Employee #2 – Allegation #1

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

For the reasons at Named Employee #3 – Allegation #1, OPA recommends this allegation be Not Sustained – Unfounded (Expedited).

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

Named Employee #3 – Allegation #1

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

The Complainant alleged that the named employees failed to direct officers to protect Muslim worship sites, constituting bias-based policing.

On October 7, 2023, NE#3 emailed all SPD sworn employees about Jewish worship sites and attached a criminal intelligence bulletin of sensitive Jewish locations. According to NE#3, NE#2 approved that email. NE#3 sent a follow-up email the next day, apologizing for failing to include a criminal intelligence bulletin of sensitive Muslim locations. The record reflects NE#3's exclusion of Muslim locations in his October 7th email was inadvertent, which NE#3 remedied the next day with a follow-up email that included sensitive Muslim locations. Thus, the Complainant's bias-based policing allegation is unsubstantiated because NE#3's two emails included both Jewish and Muslim worship sites. NE#3 was also inclusive by requesting any information about missing worship sites from either list. No evidence suggests NE#2 and NE#3 were motivated to protect only Jewish worship sites.

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

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