



## CLOSED CASE SUMMARY

ISSUED DATE: MAY 4, 2024

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

CASE NUMBER: 2023OPA-0509

### Allegations of Misconduct & Director's Findings

#### Named Employee #1

Allegation(s):		Director's Findings
# 1	15.180 - Primary Investigations, 15.180-POL 1. Officers Shall Conduct a Thorough and Complete Search for Evidence	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 alleged Named Employee #1 (NE#1) did not conduct a thorough and complete search for evidence to locate the Complainant's missing minor daughter (Community Member #1 or CM#1).

#### ADMINISTRATIVE NOTE:

This case was designated as an Expedited Investigation. This means that 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 December 21, 2023, OIG certified OPA's investigation as thorough, timely, and objective.

#### SUMMARY OF INVESTIGATION:

On November 11, 2023, the Complainant left a voicemail for OPA about his concerns regarding the investigation to find CM#1. OPA contacted the Complainant during a complaint "shakeout" to determine whether his allegations concerned an SPD employee.<sup>1</sup> The Complainant stated he wanted to file a complaint against NE#1, an SPD detective assigned to locate CM#1.

OPA investigated the Complaint, reviewing the computer-aided dispatch (CAD) call report, incident report, and text messages between the Complainant and NE#1. OPA attempted to contact the Complainant by phone and U.S. mail to arrange a formal interview. The Complainant did not respond. The only information OPA obtained from the Complainant was during the unrecorded "shakeout" discussion.

On November 3, 2023, the Complainant called 9-1-1, after CM#1 did not return from school the previous day. An SPD patrol officer responded to the juvenile runaway call and completed an incident report documenting his conversation with the Complainant, CM#1's description and concerns about her suicidal ideation, history of CM#1 history of running

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<sup>1</sup> OPA conducts a "shakeout" process when it is unclear from the face of a complaint whether the allegations are within OPA's jurisdiction. The shakeout process can include a call to the Complainant, often to determine whether their allegation concerns SPD employees or employees of other law enforcement agencies.



away, and other details. The SPD patrol officer also completed a missing persons report for CM#1 and documented his unsuccessful efforts to locate her at two nearby locations.

On or about November 3, 2023, NE#1 was assigned CM#1's missing persons case. On November 6, 2023, NE#1 contacted the Complainant via text to obtain details regarding the investigation. During the text exchange between NE#1 and the Complainant, NE#1 requested a recent photograph of CM#1 and advised the Complainant that robbery detectives with the King County Sheriff's Office (KCSO) are investigating subjects who were observed with CM#1.

On November 14, 2023, an OPA investigator contacted the Complainant as part of the "shakeout" process. The Complainant said he communicated with NE#1 on November 6, 2023, and the two exchanged text messages regarding CM#1. The Complainant provided copies of the text messages to OPA. The texts showed back-and-forth communication between the Complainant and NE#1, on Monday, November 6, 2023. On Thursday, November 9, 2023, the Complainant sent NE#1 a message noting which high school CM#1 attended. NE#1 did not acknowledge the message. On Friday, November 10, 2023, the Complainant sent two text messages to NE#1 stating he learned CM#1 was "at her grandmas house," but that he "was not sure of the address." The Complainant provided the grandmother's name and occupation. NE#1 did not acknowledge these text messages, nor did the Complainant request NE#1 call or text him back.

The Complainant stated he learned CM#1 could be in at a location in Tukwila on November 10, 2023. The Complainant went there, observed CM#1 drive away with other people, and followed CM#1 through Tukwila, Seattle, SeaTac, and Kent. The Complainant posed as an "online buyer" to meet CM#1 in Kent, then notified Washington State Patrol (WSP) and Kent Police (KPD). The Complainant, WSP troopers, and KPD officers "initiated a plan" on scene. The Complainant stated the WSP troopers and KPD officer then drove away for unknown reasons. CM#1 then drove away from the scene.

The Complainant said NE#1 failed to do his job, was not properly investigating CM#1's case, and did not respond to his text messages. The Complainant also said that it would have assisted WSP and KPD had NE#1 advised the Complainant to obtain an At-Risk-Youth Petition for CM#1. The Complainant said CM#1 was still missing.

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

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

##### ***15.180 - Primary Investigations, 15.180-POL 1. Officers Shall Conduct a Thorough and Complete Search for Evidence***

The Complainant alleged that NE#1 did not conduct a thorough and complete search for evidence.

SPD Policy requires that, in primary investigations, officers conduct a thorough and complete search for evidence. See SPD Policy 15.180-POL-1.

OPA finds that, more likely than not, this allegation is unfounded. OPA reviewed the documents related to the complaint, including text messages and reports. The text messages did not include any further requests from the Complainant. The Complainant's main issue appeared to be with the response from WSP and KPD. SPD was not involved in the situation on November 10, 2023. OPA attempted three times to reach the Complainant by phone and mailed a physical letter to learn more about his concerns, but the Complainant stopped responding to OPA.

NE#1 appeared to reach out to the Complainant for information on November 6 and referenced information NE#1 learned from the King County Sheriff's Office related to CM#1's whereabouts and companions. None of the



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Complainant's text messages requested NE#1 text or call back, nor does it appear the Complainant called NE#1 on November 10. The Complainant's allegation concerning the At-Risk-Youth Petition is speculative. Even had NE#1 informed the Complainant about this process, OPA cannot establish that it would have been approved by a court or resulted in a different outcome on November 10.<sup>2</sup>

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

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

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<sup>2</sup> See RCW 13.32A.191 – At-Risk Youth – Petition by parent.