



CLOSED CASE SUMMARY

ISSUED DATE: JULY 5, 2024

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

CASE NUMBER: 2024OPA-0016

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)

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:

An anonymous complainant alleged the West Precinct Captain, Named Employee #1 (NE#1), engaged in bias-based policing by organizing an emphasis patrol in a predominantly white downtown neighborhood instead of the more diverse Chinatown-International District (CID).

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 in this case.

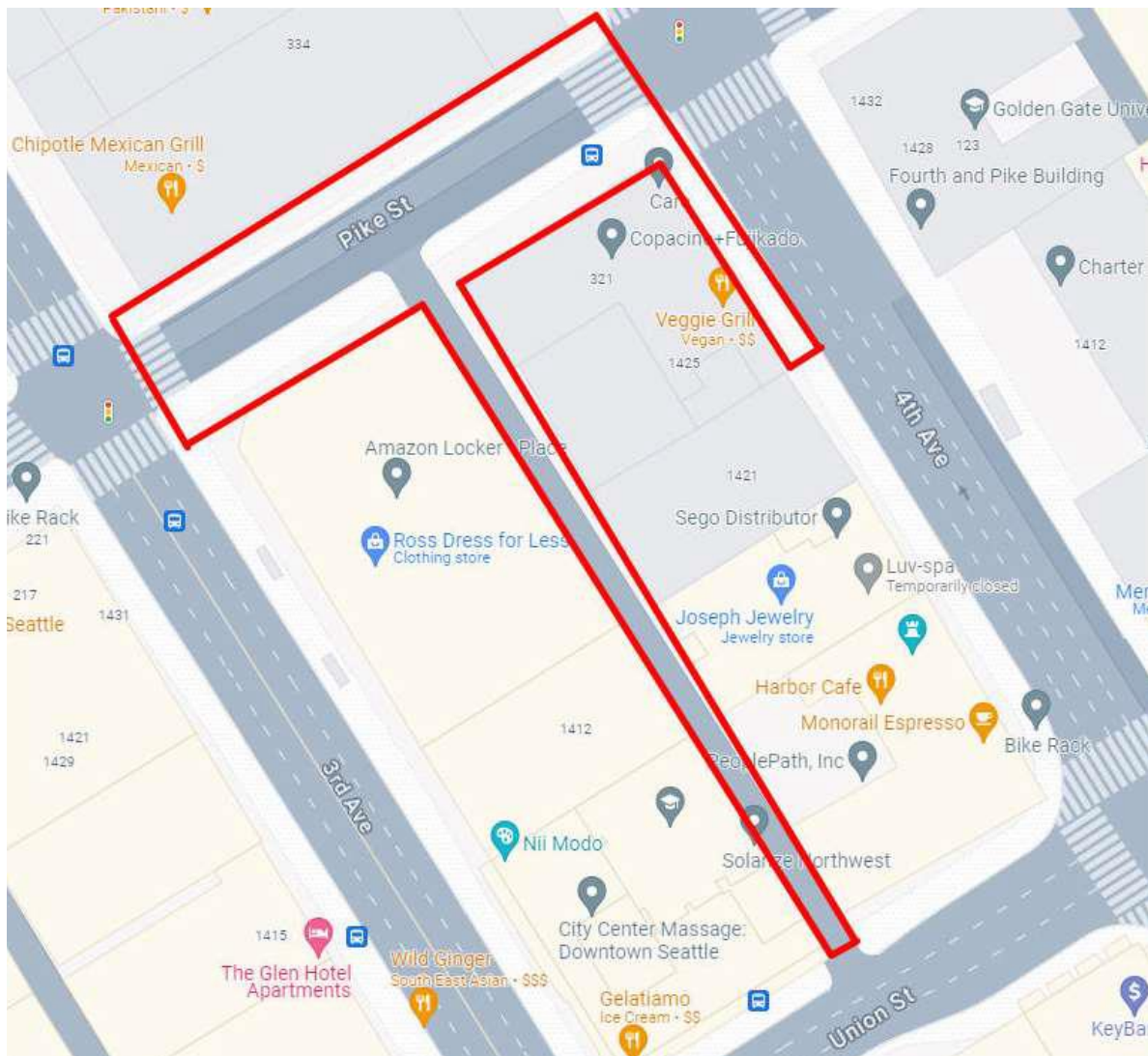
On February 15, 2024, OIG certified OPA's investigation as thorough, timely, and objective.

SUMMARY OF INVESTIGATION:

On January 8, 2024, OPA received a web-based, anonymous complaint alleging NE#1 engaged in bias-based policing by giving "extra presence by Seattle Police" in the area of 4th Avenue and Pine Street near an "expensive restaurant and building owned by wealthy individuals." The anonymous complainant alleged this was done at the expense of "downtown staples like Ross and Walgreens who are also suffering from the open air drug market." Relatedly, the anonymous complainant wrote there was a lack of resources provided to the less wealthy, minority CID community.

OPA opened an intake, reviewing the complaint, a SPD department email, a newspaper article, relevant informational maps, the Seattle Police Operations Center (SPOC) events calendar, and SPD department policies. OPA was unable to contact the complainant as they filed anonymously and did not provide any contact information.

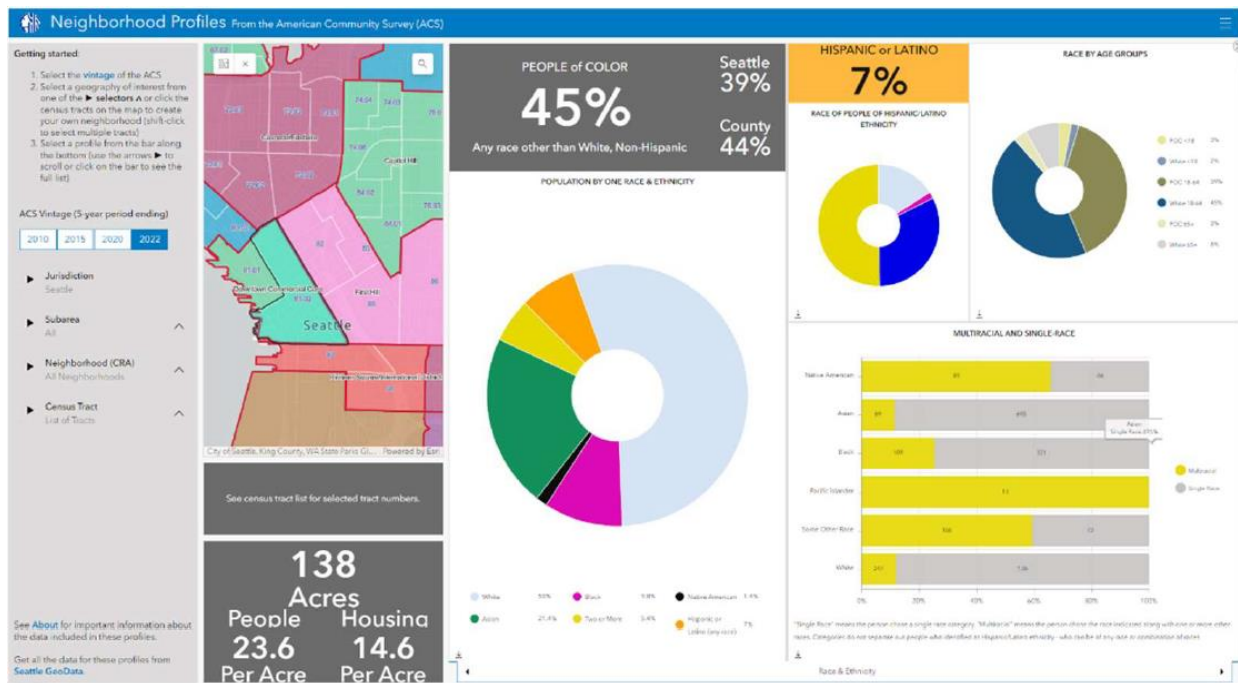
OPA reviewed the SPD email announcing the Downtown foot beat. The email was sent by SPOC—not NE#1—on January 4, 2024, requesting two officers to patrol the area of 4th Avenue and Pike Street from 1:00pm to 7:00pm daily from January 5 through January 31. The "focus" was "business contacts and deterring criminal activity in the area." The email included the following map indicating the emphasis patrol area:



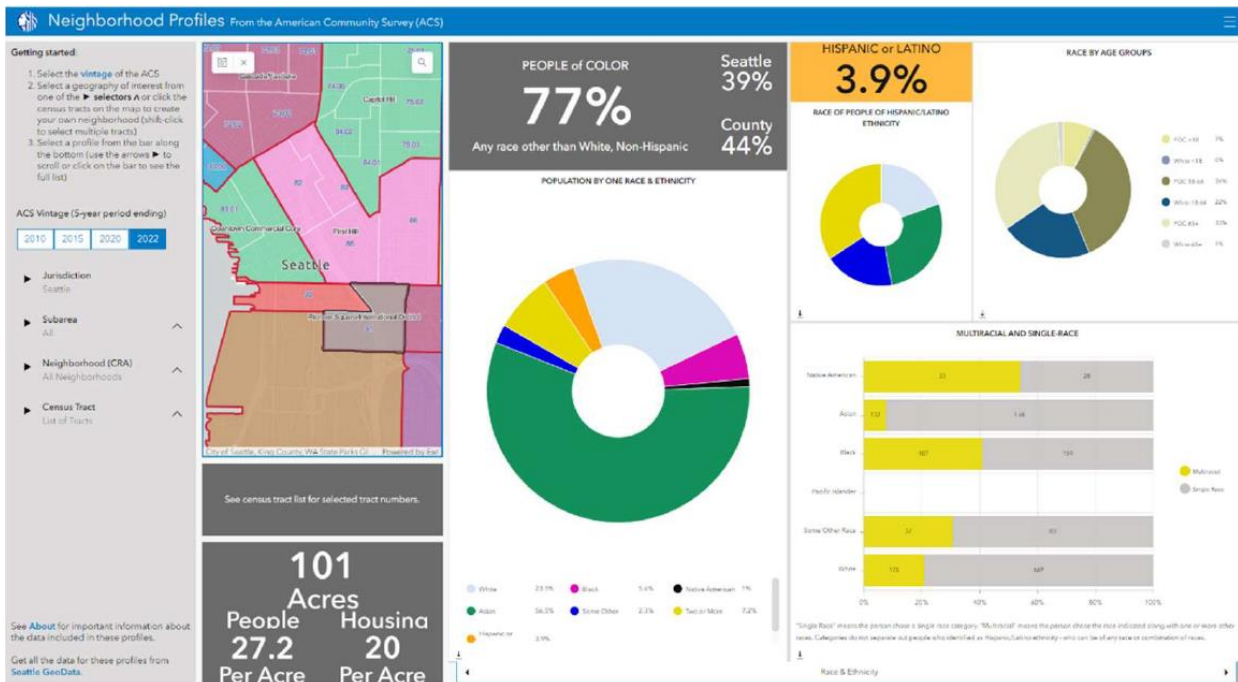
Map with emphasis patrol area outlined in red.

OPA also reviewed a newspaper article that indicated a high-end restaurant in the emphasis patrol area closed on December 31, 2023—several days before the beginning of the emphasis patrol.

OPA also reviewed demographic maps of both the downtown area and CID. These showed there is a significantly larger population of People of Color by percentage in the CID compared to downtown.



Demographic map of downtown area.



Demographic map of CID.



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 NE#1 engaged in bias-based policing by directing police resources to a wealthy, predominantly white area instead of less affluent minority areas.

SPD policy prohibits biased policing, which it defines as “the different treatment of any person by officers motivated by any characteristic of protected classes under state, federal, and local laws as well other discernible personal characteristics of an individual.” SPD Policy 5.140-POL. This includes different treatment based on the race or socioeconomic status of the subject. *See id.* Officers are forbidden from both, (i) making decisions or taking actions influenced by bias, and (ii) expressing any prejudice or derogatory comments concerning personal characteristics. *See* SPD Policy 5.140 POL-2.

This allegation is unfounded. OPA found no evidence that NE#1 engaged in bias-based policing. As an initial matter, the high-end restaurant referenced in the complaint closed prior to the emphasis patrols and would not have benefited. Similarly, other stores, such as Ross, were in an area that would have benefited from the emphasis patrol. Moreover, public reporting shows that this specific downtown block historically has high concentrations of criminal activity that multiple mayoral and SPD administrations had sought to address. Recently, this area was targeted with additional police resources beginning March 2022.¹ Finally, the evidence suggested this emphasis patrol was staffed through SPOC and not by NE#1.

Although finding this allegation of specific misconduct was unfounded, OPA forwarded the case to OIG to consider studying whether there is disparate impact in SPD resource allocation. *See* SPD Policy 5.140-POL-9 (permitting SPD to consult with OIG “about whether to examine disparity” and “explore equally effective alternative practices that would result in less disproportionate impact”).

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

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

¹ See Greg Kim, *Third Avenue Project seeks to quell disorder downtown*, SEATTLE TIMES (April 6, 2023), <https://www.seattletimes.com/seattle-news/homeless/third-avenue-project-seeks-to-clear-section-of-downtown/> (“Seattle police also began stationing more officers in the area in March 2022 to tamp down on drug-related crime and violence.”).