



CLOSED CASE SUMMARY

ISSUED DATE: JULY 7, 2024

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

CASE NUMBER: 2024OPA-0033

Allegations of Misconduct & Director's Findings

Named Employee #1

Allegation(s):		Director's Findings
# 1	13.030 – Emergency Vehicle Operations, 13.030-POL-5. Officers Are Responsible for the Safe Operation of Their Police Vehicle	Not Sustained - Lawful and Proper (Expedited)

Named Employee #2

Allegation(s):		Director's Findings
# 1	13.030 – Emergency Vehicle Operations, 13.030-POL-5. Officers Are Responsible for the Safe Operation of Their Police Vehicle	Not Sustained - Lawful and Proper (Expedited)

Named Employee #3

Allegation(s):		Director's Findings
# 1	13.030 – Emergency Vehicle Operations, 13.030-POL-5. Officers Are Responsible for the Safe Operation of Their Police Vehicle	Not Sustained - Lawful and Proper (Expedited)

Named Employee #4

Allegation(s):		Director's Findings
# 1	13.030 – Emergency Vehicle Operations, 13.030-POL-5. Officers Are Responsible for the Safe Operation of Their Police Vehicle	Not Sustained - Lawful and Proper (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 Employees #1, #2, #3, and #4 (NE#1, NE#2, NE#3, and NE#4) operated their police vehicles to respond to a felony warrant incident. The Complainant alleged that an officer unsafely drove the wrong way in a one-way street.

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 in this case.



On February 9, 2024, OIG certified OPA's investigation as thorough, timely, and objective.

SUMMARY OF INVESTIGATION:

On January 10, 2024, the Complainant filed an OPA complaint, writing that an officer sped towards her while driving the wrong way in a one-way street, and she thought the officer would collide into her. The Complainant wrote that the officer's emergency equipment was not activated as several other drivers swerved out of the officer's way.

OPA investigated the complaint, reviewing the computer-aided dispatch (CAD) call report, incident report, in-car video (ICV), and a photograph provided by the Complainant that depicted a police vehicle parked on grass. The Complainant did not respond to OPA's multiple requests for an interview.

On January 10, 2024, at 8:14 AM, "WARRANT - FELONY PICKUP" was coded into CAD.

Witness Officer #1's (WO#1) incident report documented that a vehicle parked in a parking lot was known to be driven by a warrant suspect who repeatedly eluded officers. WO#1 wrote that a female was in the driver's seat while a male, in the passenger seat, was a different felony warrant suspect. WO#1 wrote that the male warrant suspect fled on foot but was later arrested.

NE#1's ICV captured NE#1 following normal traffic patterns. An officer radioed, "Foot pursuit." NE#1 activated his emergency equipment and drove towards the incident location by accelerating, maneuvering through traffic, driving in the opposite lane of travel, and driving through red light intersections. NE#1 approached a green light intersection and turned left into a one-way street but in the wrong direction. GPS on his ICV showed a speed between 11mph and 12mph. Two vehicles (red arrows) pulled over to the right as NE#1 maneuvered through and parked on a sidewalk:



NE#2's and NE#3's ICV captured NE#2 and NE#3 activating their emergency equipment and driving toward the incident location, consistent with NE#1's driving pattern. NE#2 and NE#3 approached a green light intersection and turned left into a one-way street but in the wrong direction. NE#2's GPS showed he was traveling approximately 14mph to 23mph on Stanley way. NE#3 GPS showed he was traveling approximately 20mph. Vehicles (blue arrows) pulled over as NE#2 and NE#3 maneuvered through and parked on that street:



NE#4's ICV captured NE#4 following normal traffic patterns. NE#4 approached a green light intersection, activated his emergency lights, and turned left into a one-way street but in the wrong direction. One vehicle pulled over to the right as NE#4 entered a parking lot and stopped his police vehicle.

In review of ICV of NE#1 through NE#4, officers turning SB on Stanley Avenue South passed a total of four cars that pulled over to stop. No near collisions appeared based on review of the ICV.

ANALYSIS AND CONCLUSIONS:

Named Employee #1 – Allegation #1

13.030 – Emergency Vehicle Operations, 13.030-POL-5. Officers Are Responsible for the Safe Operation of Their Police Vehicle

The Complainant alleged that an officer unsafely operated his police vehicle by driving the wrong way in a one-way street, nearly colliding into her.

Officers are responsible for safely operating their police vehicles. SPD Policy 13.030-POL-5. Officers must drive with due regard for everyone's safety. *Id.* Officers will drive no faster than reasonably necessary to safely arrive at the scene. *Id.*

The named employees were captured on ICV driving the wrong way in a one-way street. However, the named employees were responding to a foot pursuit with their emergency equipment activated. The named employees decelerated upon reaching a green light intersection, turned left onto a one-way street, and parked their police vehicles on or near that street. Based on the evidence provided, drivers had sufficient time and space to safely move out of the named employees' way. OPA observed no near collisions as the named employees maneuvered their way through that street. OPA found no evidence that the named employees unsafely operated their police vehicles.

Accordingly, OPA recommends this allegation be Not Sustained – Lawful and Proper (Expedited).

Recommended Finding: **Not Sustained - Lawful and Proper (Expedited)**



Named Employee #2 – Allegation #1

13.030 – Emergency Vehicle Operations, 13.030-POL-5. Officers Are Responsible for the Safe Operation of Their Police Vehicle

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

Recommended Finding: **Not Sustained - Lawful and Proper (Expedited)**

Named Employee #3 – Allegation #1

13.030 – Emergency Vehicle Operations, 13.030-POL-5. Officers Are Responsible for the Safe Operation of Their Police Vehicle

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

Recommended Finding: **Not Sustained - Lawful and Proper (Expedited)**

Named Employee #4 – Allegation #1

13.030 – Emergency Vehicle Operations, 13.030-POL-5. Officers Are Responsible for the Safe Operation of Their Police Vehicle

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

Recommended Finding: **Not Sustained - Lawful and Proper (Expedited)**