



CLOSED CASE SUMMARY

ISSUED DATE: AUGUST 20, 2024

FROM: DIRECTOR GINO BETTS, JR. 
OFFICE OF POLICE ACCOUNTABILITY

CASE NUMBER: 2024OPA-0105

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 - Inconclusive
# 2	5.001 - Standards and Duties, 5.001-POL 10. Employees Will Strive to be Professional	Not Sustained - Inconclusive

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 #1 (NE#1) took a report from the Complainant, worried that her adult daughter (Community Member #1 or CM#1) stopped responding to her and was no longer active on social media. The Complainant alleged NE#1 was rude and dismissive. The Complainant also alleged NE#1 was biased against CM#1 because CM#1 was experiencing homelessness and addiction and worked as a sex worker.

ADMINISTRATIVE NOTE:

On August 5, 2024, the Office of Inspector General certified this investigation as thorough, timely, and objective.

SUMMARY OF INVESTIGATION:

The Complainant reported that her daughter, CM#1, was missing in Ballard and was being trafficked. The Complainant alleged she spoke to NE#1 over the phone, but he was dismissing her concerns and reluctant to assist. The Complainant alleged no one went to CM#1's apartment to conduct a welfare check. The Complainant also alleged NE#1 may have been dismissive because CM#1 worked as a prostitute.

OPA investigated the complaint by interviewing the Complainant and reviewing related computer-aided dispatch (CAD) call reports and incident reports. OPA also interviewed NE#1.

The Complainant stated her daughter works as a prostitute in Seattle and uses social media to stay in touch with her. The Complainant noticed CM#1 and CM#1's boyfriend were inactive on social media for a long time. The Complainant stated a private investigator also contacted her because CM#1 was a potential witness in ongoing civil litigation. The Complainant thought it was possible that she overdosed or had been harmed before she could testify. The Complainant said she called SPD on February 11, 2024, to report CM#1 as missing. The Complainant spoke with NE#1 the next day. The Complainant felt NE#1 was dismissive and disinterested, at one point saying something like, "That's just what prostitutes do." The Complainant stated that, after she pressed NE#1 further, he claimed to have found an address for CM#1 and said he would send officers to conduct a welfare check. The Complainant stated she called SPD



again days later and learned no officers were dispatched. The Complainant alleged NE#1 was biased against CM#1 because she was homeless and a prostitute.

A CAD call report showed the Complainant called SPD on February 11, 2024, to report that CM#1 was missing. NE#1 wrote an incident report indicating he spoke to the Complainant the next day. NE#1 wrote he talked to the Complainant, who had not heard from CM#1 since January 11, 2024, which was unusual. NE#1 documented that the Complainant said CM#1 resided in Ballard but did not know the address. NE#1 wrote the Complainant stated CM#1 suffers from heroin addiction and frequented the Aurora Avenue North area. NE#1 searched SPD's computer database and located four different addresses for CM#1, none of which were in Ballard. NE#1 filed a missing person report.

The Complainant called SPD on February 23, 2024, requesting a welfare check. The CAD call report for this call noted that two SPD officers attempted to locate CM#1 at an address in Queen Anne without success.¹

An SPD detective followed up on NE#1's missing person report on February 27, 2024. The detective successfully contacted CM#1's property manager, who confirmed they recently saw CM#1 alive. The SPD detective followed up with the Complainant, who agreed the case could be closed.

OPA interviewed NE#1. NE#1 explained he was frustrated that a missing person report had been left open from the previous day but stated he was not upset with the Complainant. NE#1 said he was upset with the fact her call had gone unanswered, noting:

My assumption was, like me, [the Complainant] was frustrated with how long [the call was held], which it shouldn't have. Maybe frustration was in my voice, and she thought it was directed towards her. It wasn't. I mean, five in the morning – I shouldn't be getting there, and a call from the previous day should not be there. That happens sometimes over the weekend. So maybe she misread my voice inflection.

NE#1 stated the Complainant did not know CM#1's address in Ballard. NE#1 explained he did not send the call to the North Precinct for patrol because it would not have been feasible to search an entire neighborhood without more specific information. NE#1 stated the Complainant's call was not an emergency call and was not actionable. NE#1 denied assuring the Complainant he would send officers for a welfare check, stating he would have documented this in CAD.

NE#1 denied attempting to dissuade the Complainant from making a report, stating he generated a report whenever required and did so for this case. NE#1 explained that he works for the Internet and Telephone Reporting Unit (ITRU) and that ITRU calls are not recorded. NE#1 denied making any statement such as, "That's just what prostitutes do." NE#1 denied being biased against CM#1.

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

¹ The address in Queen Anne was not one of the four addresses NE#1 located for CM#1 in SPD's computer database.



The Complainant alleged that NE#1 may have engaged in bias-based policing because CM#1 was addicted to heroin, homeless, and a sex worker.

SPD prohibits biased policing, which is defined 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 treating someone differently based on their economic, disability, or housing status. See *id.* Officers are forbidden from (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.

OPA did not find any evidence to corroborate the Complainant’s allegations that NE#1 treated CM#1 differently based on her substance addiction, homelessness, or work as a sex worker. NE#1 responded reasonably to the Complainant’s report that her adult daughter was missing. NE#1 completed a missing person report and searched possible addresses for CM#1. None of the addresses NE#1 found were in Ballard, where the Complainant stated CM#1 lived. About two weeks later, an SPD detective confirmed CM#1 was alive and closed the missing person’s report.

The Complainant also alleged NE#1 made a statement to the effect of, “That’s just what prostitutes do.” NE#1 denied making the statement. The Complainant’s phone conversation with NE#1 was not recorded. Accordingly, OPA cannot determine whether this statement was made. Moreover, without additional context, OPA cannot evaluate whether the alleged statement constituted “prejudice” or a “derogatory comment.”

Accordingly, OPA recommends this allegation be Not Sustained – Inconclusive.

Recommended Finding: **Not Sustained - Inconclusive**

Named Employee #1 - Allegation #2

5.001 - Standards and Duties, 5.001-POL 10. Employees Will Strive to be Professional

The Complainant alleged that NE#1 was rude and dismissive.

SPD Policy 5.001-POL-10 requires that SPD employees “strive to be professional.” The policy further instructs that “employees may not engage in behavior that undermines public trust in the Department, the officer, or other officers,” whether on or off duty. SPD Policy 5.001-POL-10. Furthermore, the policy states: “Any time employees represent the Department or identify themselves as police officers or Department employees, they will not use profanity directed as an insult or any language derogatory, contemptuous, or disrespectful toward any person.” *Id.*

The Complainant alleged NE#1 was rude and dismissing and made a statement to the effect of, “That’s just what prostitutes do.” NE#1 admitted being frustrated during the phone call but explained that it was not directed at the Complainant. Instead, he said he was frustrated that the missing person report was held overnight. As discussed above at Named Employee #1, Allegation #1, NE#1’s and the Complainant’s conversation was not recorded. OPA has no evidence to corroborate or refute the allegation.

Accordingly, OPA recommends this allegation be Not Sustained – Inconclusive.

Recommended Finding: **Not Sustained - Inconclusive**