



## CLOSED CASE SUMMARY

ISSUED DATE: MARCH 12, 2025

FROM: INTERIM DIRECTOR BONNIE GLENN  
OFFICE OF POLICE ACCOUNTABILITY

CASE NUMBER: 2024OPA-0369

### 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 - Lawful and Proper (Expedited)
# 2	5.140 – Bias-Free Policing, 5.140-POL-2. Officers Will Not Engage in Bias-Based Policing	Not Sustained - Unfounded (Expedited)
# 3	5.001 – Standards and Duties, 5.001-POL-10. Employees Will Strive to be Professional	Not Sustained - Unfounded (Expedited)

#### Named Employee #2

Allegation(s):		Director's Findings
# 1	5.001 - Standards and Duties, 5.001-POL 10. Employees Will Strive to be Professional	Not Sustained - Unfounded (Expedited)
# 2	15.180 – Primary Investigations, 15.180-POL-1. Officers Shall Conduct a Thorough and Complete Search for Evidence	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:

The named employees (NE#1 and NE#2) responded to an automobile recovery call initiated by Community Member #1 (CM#1) and the Complainant, who reported the discovery of their stolen vehicle on private property in Seattle. The Complainant alleged that the named employees failed to investigate her stolen vehicle and were unprofessional. The Complainant also alleged that NE#1 exhibited racial bias toward her.

### 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 October 21, 2024, OIG certified OPA's investigation as thorough, timely, and objective.



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**SUMMARY OF INVESTIGATION:**

OPA investigated the complaint by reviewing the computer-aided dispatch (CAD) call report, body-worn video (BWV), and incident and supplement reports. OPA also interviewed the Complainant.

On September 12, 2024, CAD call remarks indicated that the Complainant reported her vehicle stolen in Tacoma on September 9, 2024, but later discovered it parked under a tarp and unoccupied at a location in Seattle. Officers arrived at the Seattle site with their BWV activated, capturing the following events. Witness Officer #1 (WO#1) contacted Community Member #1 (CM#1) and the Complainant, both of whom were inside a vehicle. CM#1 identified his vehicle, which he had reported stolen to the Tacoma Police Department (TPD). The Complainant said the property where the stolen vehicle was found belonged to CM#1's relative and provided documentation regarding the stolen vehicle. WO#1 returned to his patrol vehicle to review information on his computer,<sup>1</sup> then reapproached CM#1 and the Complainant and explained his uncertainty about TPD classifying the vehicle as stolen and informed them that SPD would not retrieve the vehicle. The Complainant subsequently requested to speak with a supervisor.

NE#1, an acting sergeant, responded to the scene and explained that officers were prohibited from entering private property without a search warrant. NE#1 suggested they contact SPD's General Investigations Unit (GIU) or TPD to explore options for retrieving the vehicle. NE#1 told them that a tow truck would not be able to operate on private property and that a judge would not grant a search warrant for its retrieval. NE#2 briefly spoke with the Complainant through an open window. Noticing that the Complainant was having difficulty finding GIU's contact information in her documents, NE#2 reached into the vehicle to assist by pointing out the relevant information. The Complainant expressed discomfort with NE#2's action. NE#2 handed the Complainant a business card and immediately stepped away. NE#1 directed the Complainant to the OPA website before also stepping away.

**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 the named employees failed to investigate her stolen vehicle

In primary investigations, officers must conduct a thorough and complete search for evidence. SPD Policy 15.180-POL-1. Sworn personnel must know how to collect the most common physical evidence that might be encountered in a primary investigation. *Id.* Only evidence impractical to collect or submit to the Evidence Unit shall be retained by the owner. *Id.* Officers shall photograph all evidence retained by the owner. *Id.*

Although TPD classified the vehicle as stolen, the named employees properly informed the Complainant that a search warrant was necessary to retrieve it since it was situated on private property. Moreover, the named employees believed that a warrant would not be approved under the circumstances, as they suspected that TPD had mistakenly reclassified the vehicle as stolen. Since CM#1's relative might have had a legitimate claim to the vehicle, the named employees reasonably believed that the situation was a civil matter. While the Complainant viewed their inaction as

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<sup>1</sup> WO#1's supplement report stated that the person accused of stealing the vehicle was CM#1's relative and might have had a legitimate claim to the vehicle, rendering the situation a civil matter. WO#1 wrote that SPD would not classify the vehicle as stolen under these circumstances. WO#1 wrote that TPD initially classified the incident as a civil matter before reclassifying it as a stolen vehicle later.



a failure to investigate, the named employees recognized the constraints of their authority and recommended alternative options, like contacting TPD or GIU for further assistance.

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

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

**Named Employee #1 – Allegation #2**

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

The Complainant alleged that NE#1 exhibited racial bias toward her.

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 treatment based on race. *See id.* Officers are forbidden from making decisions or taking actions influenced by bias and expressing prejudice or derogatory comments concerning discernible personal characteristics. *See* SPD Policy 5.140-POL-2.

OPA found no evidence supporting this allegation. As noted above, NE#1's inaction stemmed from the circumstances of the situation. NE#1's interaction with CM#1 and the Complainant did not show any signs of bias. Instead, it involved NE#1 explaining the limitations of his authority and offering alternative options.

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

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

**Named Employee #1 – Allegation #3**

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

The Complainant alleged that the named employees were unprofessional.

SPD employees must “strive to be professional.” SPD Policy 5.001-POL-10. Further, “employees may not engage in behavior that undermines public trust in the Department, the officer, or other officers,” whether on or off duty. *Id.* Employees will avoid unnecessary escalation of events, even if those events do not end in reportable uses of force. *Id.* 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 that is derogatory, contemptuous, or disrespectful toward anyone. *Id.*

This allegation is unfounded for the same reasons noted above. The named employees were respectful and courteous during their interaction with CM#1 and the Complainant. Although the Complainant expressed discomfort about NE#2's reaching into the vehicle, NE#2 was merely assisting her in locating relevant information within her documents. This action was not intended to be aggressive or caused discomfort. Upon the Complainant voicing discomfort, NE#2 immediately disengaged and stepped away. NE#1 also advised the Complainant to contact OPA if she felt uncomfortable about the encounter. Overall, the named employees' conduct was professional.



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

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

**Named Employee #2 – Allegation #1**

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

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

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

**Named Employee #2 – Allegation #2**

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

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

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