



CLOSED CASE SUMMARY

ISSUED DATE: MARCH 16, 2025

FROM: INTERIM DIRECTOR BONNIE GLENN
OFFICE OF POLICE ACCOUNTABILITY

CASE NUMBER: 2024OPA-0377

Allegations of Misconduct & Director's Findings

Named Employee #1

Allegation(s):		Director's Findings
# 1	15.220 – Child Welfare, 15.220-POL-6. Officers Take Custody of Runaway Children and Children in Dangerous Circumstances	Not Sustained - Lawful and Proper

Named Employee #2

Allegation(s):		Director's Findings
# 1	15.220 – Child Welfare, 15.220-POL-6. Officers Take Custody of Runaway Children and Children in Dangerous Circumstances	Not Sustained - Lawful and Proper

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 a runaway juvenile call involving the Complainant's son, Community Member #1 (CM#1). The named employees contacted CM#1, his girlfriend (Girlfriend #1), and Girlfriend #1's mother (Mother #1) at Mother #1's apartment. CM#1 told the named employees that he would not return home voluntarily due to a dispute with the Complainant. After verifying that CM#1 was in good health, the named employees departed and contacted Child Protective Services (CPS) about the incident. The Complainant alleged that the named employees should have apprehended CM#1 and returned him to her home.

ADMINISTRATIVE NOTE:

On February 21, 2025, the Office of Inspector General certified OPA's investigation as thorough, timely, and objective.

SUMMARY OF INVESTIGATION:

A. OPA Complaint

On September 17, 2024, the Complainant submitted an OPA complaint. She wrote that after informing the named employees of her runaway son's whereabouts, they failed to apprehend him and, instead, designated him as unreported and permitted him to remain at that location. She also wrote that the named employees declined to assist her, indicating that her son was not obligated to return home if he chose not to do so.

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



B. Computer-Aided Dispatch (CAD) Call Report

On September 17, 2024, at 12:06 PM, CAD call remarks noted, “[REPORTING PARTY] REPORTING RUNAWAY SON IS STAYING WITH HIS GIRLF[RIEND], NO KNOWN [WEAPONS], [REPORTING PARTY] THINKS THE GIRLF[RIEND]’S MOTHER IS LETTING SON AND GIRLF[RIEND] DO DRUGS.”

C. Body-Worn Video (BWV) and Incident Report

BWV captured the following:

The named employees were traveling in a patrol car to Mother #1’s apartment. NE#2 called the Complainant, but she did not answer. Upon arriving at Mother #1’s apartment, the named employees spoke with CM#1, Girlfriend #1, and Mother #1 at the entrance. NE#1 inquired about the situation, to which CM#1 explained that the Complainant wanted him to return home, a request he refused due to an ongoing dispute. Girlfriend #1 added that the Complainant texted her, advising CM#1 to take his time. NE#2 requested to view that text message. NE#1 reassured CM#1 that he would not compel CM#1 to go home, although someone had reported him as a runaway. CM#1 said the Complainant was aware of his whereabouts since they had been in regular contact. Girlfriend #1 showed NE#2 her phone, which contained text exchanges between herself and the Complainant.¹ Girlfriend #1 also confirmed that the Complainant was aware of CM#1’s whereabouts and mentioned that the Complainant and CM#1 argued over the phone the previous day. CM#1 said he had means of transportation to return home, had money, and had eaten shortly before. NE#1 suspected that CM#1 was high, but Mother #1 clarified that CM#1 had taken Benadryl. NE#2 provided CM#1 with a domestic violence pamphlet.

NE#1 instructed CM#1 to exit, to which he complied. CM#1 assured that he was unharmed and then spun around for NE#1.² CM#1 reentered the apartment. NE#1 said he would verify the runaway person hit and prepare an incident report stating that CM#1 was found in good health. Mother #1 asked about the implications of CM#1’s probation status on the situation. CM#1 disclosed that he was on probation for nine months for committing a robbery. NE#1 replied that CM#1’s probation conditions would govern the situation, so NE#1 advised CM#1 to comply with those conditions. NE#1 also mentioned that the Department of Corrections had the authority to enter Mother #1’s apartment to contact CM#1 due to his probation status. CM#1 reiterated his refusal to leave the apartment and return to the Complainant. NE#1 said he removed CM#1’s runaway status since CM#1 was located, in good health, not in distress, and in the apartment voluntarily. NE#2 provided Mother #1 with a business card, after which the named employees concluded their contact with them.

NE#2’s incident report stated that the incident was screened with CPS, after which a CPS employee prepared a report.

D. OPA Interviews

Complainant

On September 20, 2024, OPA interviewed the Complainant. She said the named employees should have apprehended CM#1 and returned him to her home. She voiced dissatisfaction when the named employees removed CM#1’s

¹ NE#2’s incident report stated that the text messages corroborated Girlfriend #1’s claim.

² NE#2’s incident report stated that CM#1 showed no visible signs of injury.



runaway status, even though CM#1 had not returned home. She said CM#1's stay at Mother #1's apartment violated his probation conditions. She denied consenting to CM#1's stay at Mother #1's apartment.

Named Employee #1

On February 12, 2025, OPA interviewed NE#1. He pointed out that the Complainant knew about CM#1's whereabouts because she provided the address to dispatch. He decided against apprehending CM#1 because CM#1 would not voluntarily accompany the officers, which would necessitate entering a third-party residence and using force. He said CM#1 was not a danger to himself or others, and the condition of Mother #1's apartment appeared satisfactory. He said Mother #1 had not consented to the officers' entry, and they did not enter under community caretaking grounds because CM#1 did not exhibit signs of distress or request assistance. He said he screened the incident with multiple supervisors and CM#1's probation officer, who agreed to contact CM#1. He said he, along with the probation officer and NE#2, returned to Mother #1's apartment and persuaded CM#1 to return home voluntarily with the probation officer. He said CPS was satisfied that force was not used. He said neither CPS nor CM#1's probation officer had any intention of retrieving CM#1 that day.

Named Employee #2

On February 12, 2025, OPA interviewed NE#2. His statements were consistent with those of NE#1.

ANALYSIS AND CONCLUSIONS:

Named Employee #1 – Allegation #1

15.220 – Child Welfare, 15.220-POL-6. Officers Take Custody of Runaway Children and Children in Dangerous Circumstances

The Complainant alleged that the named employees should have apprehended CM#1 and returned him to her home.

Officers will take runaway children and children in dangerous circumstances into custody when, among other things, the child is a reported runaway from his or her home, or a parent of the child notifies a law enforcement agency that the child is absent from parental custody without consent. SPD Policy 15.220-POL-6. Concerning runaway and endangered children, an officer is immune from liability if, acting in good faith, the officer fails to take a child into custody; takes a child into custody; takes a child to the Department of Social and Health Services (DSHS), a crisis residential center, or a DSHS-approved location; or releases a child to a person at a parent's request. *Id.*

CM#1 was reported as a runaway, which may have triggered the named employees' duty to take CM#1 into custody. However, SPD policy envisions a scenario in which an officer may refuse to take a runaway child into custody, provided that the officer acted in good faith. In this instance, several factors sufficiently supported the named employees' good-faith decision to refrain from taking CM#1 into custody. The Complainant knew about CM#1's whereabouts and appeared to have consented to his stay at Mother #1's apartment, as suggested by text messages from Girlfriend #1, undermining CM#1's status as a runaway. Text messages to Girlfriend #1 purportedly indicated that the Complainant advised CM#1 to take his time returning home. CM#1 was found to be in good health and unharmed. CM#1 reported that he was eating, attending school, and not in any immediate danger. CM#1 declined to accompany the named employees voluntarily due to an ongoing dispute with the Complainant, though he acknowledged maintaining regular contact with her. An adult (Mother #1) was present at the apartment to supervise CM#1 and Girlfriend #1. Before departing, the named employees confirmed with CM#1 that he had sufficient money and means of transportation to return home. They also believed that apprehending CM#1 might have required using force, which was unnecessary



given the circumstances, particularly since they lacked consent to enter a third-party residence. OPA finds these factors, based on the totality of the circumstances were adequate to justify their good-faith decision to decline taking CM#1 into custody.

Moreover, the named employees took additional steps by consulting with multiple supervisors, CM#1's probation officer, and CPS—all of whom agreed with their decision. Notably, there were no immediate safety concerns regarding CM#1, to the extent that neither CPS nor the probation officer intended to retrieve CM#1 that day. Furthermore, the named employees, along with the probation officer, returned to Mother #1's apartment and successfully persuaded CM#1 to return home voluntarily on September 18, 2024. Overall, a preponderance of the evidence showed that the named employees' actions were consistent with SPD policy and demonstrated their commitment to ensuring CM#1's well-being.

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

Recommended Finding: **Not Sustained – Lawful and Proper**

Named Employee #2 – Allegation #1

15.220 – Child Welfare, 15.220-POL-6. Officers Take Custody of Runaway Children and Children in Dangerous Circumstances

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

Recommended Finding: **Not Sustained – Lawful and Proper**