

OFFICE OF PROFESSIONAL ACCOUNTABILITY COMMENDATIONS & COMPLAINTS REPORT

April-May 2011

OPA Director's Monthly Message

The Office of Professional Accountability's monthly report provides information about police misconduct complaints and summarizes commendations officers have received for their work. The report presents data on the number and classification of OPA complaints filed, with a comparison to the previous year. There are charts showing the percentage of cases closed with different type of findings and information about mediation and policy recommendations. This report actually combines information for two months – April and May, 2011.

April and May 2011 Highlights:

- 68 commendations covering numerous employees were received from both within and outside SPD;
- 11% of 2011 cases closed through May were Sustained, resulting in discipline. This is up from 6% Sustained through March and higher than the overall 9% Sustained rate in 2010;
- 23% of closed cases so far in 2011 ended in a Supervisory Intervention finding, with a referral for training or counseling;

Complaints Involving Violations of Law:

OPA complaints sometimes raise questions of whether SPD officers violated laws they are entrusted to enforce. These complaints involve some of the most serious of misconduct issues. Where an officer or other SPD employee is suspected of violating criminal law, the criminal investigation into the incident is handled outside OPA, either by a specialty unit within the Department or by another law enforcement agency. The City Attorney's Office, King County Prosecuting Attorney's Office, or other prosecuting authority then will decide whether to pursue the matter in court.

OPA will conduct an administrative investigation, usually after the criminal process is concluded, and make a separate determination whether the facts leading to the criminal investigation involve a violation of Departmental policy. For example, if an SPD officer is found guilty of DUI (or a plea is negotiated), OPA separately will recommend whether the officer should be disciplined under Departmental policy for the incident. Complaints raising allegations of criminal misconduct against SPD officers are infrequent but several are noted in this report.

There are a number of unique procedural issues associated with an allegation involving criminal misconduct against a police officer. The OPA Director, then OPA Auditor Judge Michal Spearman, and the OPA Review Board published a report summarizing these issues and describing how they are handled. A copy of the report can be found at:

http://www.seattle.gov/council/OPARB/reports/2010criminal_investigation.pdf

Office of Professional Accountability (OPA) Commendations & Complaints Report April-May 2011

Commendations:

Commendations Received in Apr-May: 68

Commendations Received to Date: 142

External April Commendations

Detective Dave Redemann	Six attendees of an undercover course put on by Detective Redemann complimented him for the content of his course, his presentation skills, and his actual undercover work.
Officer Chris Brownlee	Administrator of a local high school thanks Officer Brownlee for a self-defense workshop that he put on for the students and staff at the school.
Detective Megan Bruneau	A neighboring police department thanks Detective Bruneau for her assistance in investigating a case involving the victimization of foreign nationals and the arrests of the perpetrators victimizing them.
Officer Jim Garner	Community member involved in a traffic collision thanks Officer Garner for his "professionalism and courtesy as well as his concern for everyone's safety" as he investigated the collision.
Officer Brad Richardson	Motorist thanks Officer Richardson for assisting him after his heavy truck had broken down in busy traffic.
Officer Scott Enright	Community member thanks Officer Enright for his work in assisting a friend in locating his missing son. The community member describes Officer Enright as "a lifeline of hope" for parents dealing with children who are severely mentally disabled.
Detective Stacy Litsjo	Victims of a sophisticated rental property scam commend Detective Litsjo for being "an exemplary officer and a credit to her profession" for the work she did on the investigation, which resulted in the arrests of several suspects and the recovery of a large sum of misappropriated money.
Officers Steve Stone and Tim Owens	A parent of a child who had run away thanks Officers Stone and Owens for their work in locating the child, describing the officers a "highly professional, helpful, understanding, and sympathetic."

External April Commendations

Officer Nate Lemberg	A young couple whose car had run out of gas on a cold night, with no gas stations nearby, thanks Officer Lemberg for helping them and turning an otherwise difficult experience into a positive one for them with his pleasant and helpful manner.
Parking Enforcement Officer Dexter Lee	Community member commends PEO Lee for his "professionalism and diligence" enforcing parking laws in the community member's neighborhood.
Officer Linda Hill and Lieutenant John Hayes	Representatives of the Native American Community thank Officer Hill and Lieutenant Hayes for their attendance at a community dinner where they distributed toys, served dinner, and "truly built a relationship" with those who were in attendance, including "over 200" children.
Officer Rande Christiansen	The victim in a stalking and harassment incident commends Officer Christiansen for his "professionalism" and "responsiveness" to the situation.
Officer Rob Howard	Representative of a community psychiatric clinic thanks Officer Howard for his assistance to the clinic, describing it as "going above and beyond your job description."
Officer Clayton Powell, Sergeant Ty Elster, Captain Mike Washburn, Sergeant Kevin Hastings, and Officer Tim Havenar	The Washington State Department of Corrections thanks Officers Powell and Havenar, Sergeants Elster and Hastings, and Captain Washburn for assisting with the memorial service for Correctional Officer Jayme Biendl, who was killed in the line of duty.
Officers Mark Spadoni and Jeffrey Barnes	Representative of a steel manufacturing business commends Officers Spadoni and Barnes for their quick and helpful response to a trespasser attempting to steal scrap metal from the business, noting they handled the incident with respect for all and professionalism.
Officer Suzanne Parton	A community member, who had come to a precinct to address her concerns about another officer, thanks Officer Parton for being "extremely patient and kind" and assisting her in a manner that left her feeling "assisted and satisfied."
Officer Aaron Dalan	A passerby observed Officer Dalan making contact with two individuals who appeared to be on the verge of physically fighting with one another, noting that Officer Dalan "peacefully resolved the conflict, demonstrated the true spirit of law enforcement" by remaining "very calm, collected, and using words and logic to diffuse the situation."

External April Commendations

Detective Dan Cockbain	Director of Asset Protection for a large retail business chain commends Detective Cockbain for his "professionalism and dedication" that contributed to the successful dismantling of a large-scale retail theft and fencing operation.
Officer James Thomsen	Professor at a university in Washington State thanks Officer Thomsen for the "sterling service" that he provided to the professor's research on use of force by police.
Officers Gil Bernal and Sam Ditusa and Acting Sergeant Jim Mitchell	Family member commends Officers Bernal and Ditusa and Acting Sergeant Mitchell for their assistance and "compassionate manner" in responding to the suicide of the partner of the family member's sister.
Officers Travis Hill and David Adams	Robbery victim commends Officers Hill and Adams for responding to assist him after the crime, noting Officers Hill and Adams were "kind, gracious, understanding, and most of all, professional."

External May Commendations

Officer Mark Henry	Community commends Officer Henry for his "exemplary performance in performing his duties."
Lieutenant Gregg Caylor, Sergeant John Mooney, and Detective Dan Cockbain	Director of Security for a large grocery chain commends Lieutenant Caylor, Sergeant Mooney, and Detective Cockbain for their work investigating an organized retail theft ring responsible for over \$250,000 of losses.
Officers Borjeson and Harrington	A couple thanks Officers Borjeson and Harrington for their "patience and professional manner" in assisting them with a "very difficult situation."
Detective Rob Thomas	Senior Deputy Prosecuting Attorney commends Detective Thomas for his work in the successful prosecution of drive-by shooting suspect.
Officer Scott McGlashan	Candidate for employment with another Washington State police agency thanks Officer McGlashan for going "beyond the call of duty" to assist him with the backgrounding process.
Officer Harris	Mother thanks Officer Harris for assisting her daughter who had been a burglary victim, describing Officer Harris as, "professional, considerate, and helpful in his actions."
Officer Barnett	Victim of a car prowler thanks Officer Barnett for assisting him, describing Officer Barnett as, "professional, prompt, and friendly."

External May Commendations

Grants Unit Manager Shawn Tonkin	Manager of Safety Services for a local improvement district commends Manager Tonkin for her effort “managing the entire administrative process from beginning to end and delivering outstanding customer service.”
Parking Enforcement Officer Aaron Paston	Community member commends PEO Paston for his work at an accident scene, describing PEO Paston as “professional.”
Officer Tyler Keating	Representative of a vehicle security business commends Officer Keating for his effort in recovering a stolen vehicle monitored by the company.
Public Request Unit Representative Denise Croysdill	Community member commends Representative Croysdill for assisting her in obtaining a police report, describing her as “professional, knowledgeable, and very helpful.”
Officer John Compton	Director of a federal terrorist investigative agency commends Officer Compton for providing information on an individual identified as a “positive match” on a terrorist watch list.
Canine Officer Carl Zylak and his partner K-9 Zoe	Chief of a neighboring police jurisdiction commends Officer Zylak and K-9 Zoe for their assistance in the arrest of a person suspected of narcotics trafficking, burglary, and trafficking in stolen property.
Crime Prevention Coordinator Fran Tello	Community member thanks Coordinator Tello for his many years of service, helpful information, and informative and enjoyable presentations.
Officer Gregory McFadden	Community member commends Officer McFadden for riding the bus to and from work, saying, “He’s one of us, he talks to me and makes me feel safe” and “It’s cool to see cops like him riding the bus.”
Officer Gilbert Bernal	Community member commends Officer Bernal for his overall “hard work, dedicated community service, excellent people skills, keen perception, and great attitude.”
Officer Daljit Gill	Police Chief of a neighboring jurisdiction commends Officer Gill for her involvement in the arrest of three felony suspects, including one armed with a handgun, while on her way home after her regular work shift.
Detective Todd Jones	Assistant Special Agent-in-Charge of local FBI office commends Detective Jones for his assistance in the arrest of a bank robber “within six minutes of the issuance of the (wanted) bulletin” for the suspect.
Sergeant Fred Ibuki and Officer Lim	Security Manager of a large downtown hotel commends Sergeant Ibuki and Officer Lim for their “caring, compassionate, and motivated” response to a recent event at the hotel.

External May Commendations

West Precinct Officers	Community member thanks the officers of the West Precinct, in general, for their effort in “cleaning up” the Belltown area.
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Internal April Commendations

Detectives Theresa Emerick and Steven Kaffer	Detective Sergeant commends Detectives Emerick and Kaffer for their work investigating a large-scale burglary ring that lead to the clearance of over 100 burglaries, and nominates them for the prestigious Chief’s Award for their outstanding investigative work.
Officers Eric Dupleich, Diana Boggs, and John Marion	Patrol Sergeant commends Officers Dupleich, Boggs, and Marion for their response to a burglary during which an employee of the business had shot one of the suspects and was holding another at gunpoint when the officers arrived.
Officers Christopher Brownlee and Brian Sutphin	Patrol Lieutenant commends Officers Brownlee and Sutphin for working together as a team to peaceably take custody of a “highly agitated, violent, mentally ill” individual by talking him into handcuffs and into sitting in their patrol car and avoiding the need to use force. The lieutenant describes their successful and peaceful effort as, “poetry in motion.”
Officers Daniel Auderer, Brian Hunt, Sandra Delafuente, Brian Sunderland, Kevin Jones, Emily Clark, and William Griffin	Acting Patrol Sergeant commends Officers Auderer, Hunt, Delafuente, Sunderland, Jones, Clark, and Griffin for their prompt and professional response to a domestic violence assault involving a suspect armed with a knife. The suspect was arrested.
Officers Ron Willis, Robert Stevenson, Joshua Goodwin, Theresa Digalis, Suzanne Parton, Adam Beatty, Brian Escalante, Gilbert Bernal, and David Puente	Patrol Sergeant commends Officers Willis, Stevenson, Goodwin, Digalis, Parton, Beatty, Escalante, Bernal, and Puente for their competent and professional response to an attempted burglary of a home. The suspects were arrested.
Detective Susan Ditusa	Detective Lieutenant commends Detective Ditusa for her work investigating a sex offense against a 63-year old victim. The suspect was arrested and bail was set at \$500,000.
Detective Tony Stevens	Detective Lieutenant commends Detective Stevens for his “compassion and professionalism” investigating an assault case. The perpetrator agreed to a 22 ½ year sentence for this assault and another robbery that he had done.
Officers Molly Clark, Terry Dunn, and Dale Davenport	Acting Patrol Sergeant commends Officers Clark, Dunn, and Davenport for their response to an incident involving a shoplifter armed with a knife struggling with a store security officer.

Internal April Commendations

Officers Vincent Feuerstein, Adam Elias, and Colin Carpenter	Acting Patrol Sergeant commends Officers Feuerstein, Adam Elias, and Carpenter for their response to an armed robbery. The officers arrested two suspects.
Officers John Schweiger and Kevin Jones	Deputy Chief commends Officers Schweiger and Jones for their response to a suicide at a downtown hotel, describing them as “exemplary officers.”
Officer John Paquette	Assistant Chief commends Officer Paquette for helping a woman who had lost her purse.
Radio Dispatchers Sandi Moss and Rena Martinez	Sergeant commends Radio Dispatchers Moss and Martinez for their work in coordinating a Harbor Unit response to a reported person overboard from a boat.
Officers Steven McNew, Justin Knoblauch, and Suzanne Parton	Patrol Sergeant commends Officers McNew, Knoblauch, and Parton for their response to an incident involving a person armed with a knife threatening suicide.
Officers Chris Lang, Randy Curtis, Pilar Curtis, Craig Williamson, Adrian Diaz, Monty Moss, Tammy McClincy, Bradley Johnson, John Schweiger, Kirk Waldorf, Bob Robbin, Maggie Olson, Lieutenants Greg Sackman and Carmen Best, and Sergeant Duane Hendrix.	Deputy Chief commends Officers Lang, Curtis, Curtis, Williamson, Diaz, Moss, McClincy, Johnson, Schweiger, Waldorf, Robbin, Olson, Lieutenants Sackman and Best, and Sergeant Hendrix for the One-Day Community Police Academy they presented.

Internal May Commendations

South ACT, Major Crimes , Safe Streets FBI Task Force, Narcotics Section, Canine Unit, and Department of Corrections	Sergeant commends these units for their collaborative effort in the arrest of three suspects and the seizure of a large amount of narcotics, with a street value of about \$70,000, and nearly \$20,000 in cash.
Officers Wade Jones and Thomas	Captain commends Officers Jones and Thomas for their arrest of three suspects involved in shooting at an occupied vehicle.
Officers Scott Schenck, Laura Maccarrone, Christopher Christman, Daniel Nelson, Joshua Dunbar, Charles Foreman, Wesley Collier, Joel Huston, Dorian Oreiro (twice), Tammy Frame, Mary Woollum, Kevin C. Jones, and Joseph Kowalchyk	Sergeant commends Officers Schenck, Maccarrone, Christman, Nelson, Dunbar, Foreman, Collier, Huston, Oreiro, Frame, Woollum, Jones, and Kowalchyk for their service in responding to calls to assist people suffering mental health issues and for supporting the mission of the Department’s Crises Intervention Team.
Administrative Assistant Celina Villa	Department Staff Budge Analyst commends Administrative Assistant Villa for consistently going “above and beyond” in planning, organizing, and completing projects on which she works.
Detective Rob Thomas	Captain commends Detective Thomas for his “excellent restraint and judgment” in dealing with an armed suspect.

Internal May Commendations

Detectives Thomas Healy, Sam Vradenburg, James Rogers, Steve Kaffer; Fingerprint Analysts Kristi Riccobuono and Katie Hosteny; and Photo Lab Tech Britt Toalson	Assistant Chief commends Detectives Healy, Vradenburg, Rogers, Kaffer; Fingerprint Analysts Riccobuono and Hosteny; and Photo Lab Tech Toalson for their "collective work" in apprehending "four very bad people."
Sergeant Vince Guballa	Lieutenant commends Sergeant Guballa for his supervision of the response to a very serious assault and for his "sensitivity to the needs of the community" subsequent to the assault.
Officers Molly Clark, Terry Dunn, and Dale Davenport	Acting Sergeant commends Officers Clark, Dunn, and Davenport for their handling of a shoplifting incident involving a suspect with a knife struggling with store security.
Officer Krise	Captain commends Officer Krise for his response to an attempted burglary, including Officer Krise searching the victim's house to ensure it was safe to enter.
Officers Bob Besaw, Jeff Rodgers, Poblocki, Hope, Alcantara, and Dotson	Sergeant commends Officers Besaw, Rodgers, Poblocki, Hope, Alcantara, and Dotson for their response to a theft from a clothing store, including the arrest of two suspects.
Officers Bradley Johnson and Curtis Gerry	Arson-Bomb Squad Detective thanks Officers Johnson and Gerry for assisting in the development of a bloc of training for the unit.
Detective Lauren Givens	Lieutenant saw newspaper article covering an investigation by Detective Givens into a serious assault of an infant and commends Detective Givens for her "great job putting this case together."
Officers Bradley Stewart, J. Norton, and Rebecca Miller	Sergeant commends Officers Stewart, Norton, and Miller for their response to an incident involving a missing, mentally disabled man, whom they located unharmed and reunited with his parents.

April-May Closed Cases:

Cases involving alleged misconduct of officers and employees in the course of their official public duties are summarized below. Identifying information has been removed.

April - STANDARDS OF CONDUCT: LAWS

Synopsis	Action Taken
Named officer was arrested in another jurisdiction for suspicion of DUI. The named officer was off-duty and operating a private vehicle.	<p>Allegation: Administrative Violation of Law (DUI) – SUSTAINED</p> <p>The named officer, in a jury trial, was convicted of DUI. The evidence also supported a finding of sustained in the administrative case.</p> <p>Corrective action: 7-day suspension without pay; disciplinary transfer from the named officer's unit of assignment; and mandatory compliance with an Employee Assistance Program assessment.</p>
Named officer, while working a uniformed patrol assignment, shot and killed a man whom the named officer stated he believed posed a serious threat to him.	<p>Allegation #1: Administrative Violation of Law (Assault/Manslaughter) – NOT SUSTAINED</p> <p>Allegation #2: Unnecessary Use of Force – SUSTAINED</p> <p>Allegation #3: Professionalism/Discretion – SUSTAINED</p> <p>The evidence demonstrated that the named officer used unnecessary force and exercised poor discretion when contacting subject.</p> <p>Corrective Action: The named officer resigned from employment with the Seattle Police Department prior to the Chief of Police implementing final discipline, which would have been termination.</p>
It was alleged that the named officer intentionally misrepresented the date of his marriage dissolution on health benefit forms that he submitted to the Department in order to improperly obtain health benefits for another person.	<p>Allegation #1: Administrative Violation of Law (Fraud) – SUPERVISORY INTERVENTION</p> <p>Allegation #2: Dishonesty – EXONERATED</p> <p>The evidence demonstrated that the discrepancy regarding the date of the named officer's marriage dissolution on the health benefit forms that he submitted was, in large part, a consequence of the unique marriage dissolution proceedings followed in the county in which his marriage was ended. The evidence demonstrated that while the named officer's submission of the incorrect information was not an intentional attempt to mislead anyone for inappropriate gain, the named officer should have been more vigilant to properly complete the forms in question.</p> <p>Corrective Action: The named officer's supervisor discussed with him the importance of providing accurate information on administrative forms used for benefit coverage.</p>

April - STANDARDS OF CONDUCT: LAWS

Synopsis	Action Taken
<p>It was alleged that the named officers and supervisor failed to take appropriate action when responding to a domestic violence assault incident, specifically that they failed to comply with state law and Department policy regarding domestic violence incidents.</p>	<p>Four named employees:</p> <p>Named Sergeant #1: Allegation #1: Administrative Violation of Law (Domestic Violence Response) – UNFOUNDED Allegation #2: Violation of Rules/Regulations – SUPERVISORY INTERVENTION Allegation #3: Professionalism/Exercise of Discretion – SUSTAINED Allegation #4: Professionalism/Responsibility of Supervisor – SUSTAINED</p> <p>Named Officer #2: Allegation #1: Administrative Violation of Law (Domestic Violence Response) – UNFOUNDED Allegation #2: Violation of Rules/Regulations -- SUPERVISORY INTERVENTION</p> <p>Named Officer #3: Allegation #1: Administrative Violation of Law (Domestic Violence Response) – UNFOUNDED Allegation #2: Violation of Rules/Regulations -- SUPERVISORY INTERVENTION</p> <p>Unknown Named Officer #4: Allegation #1: Violation of Rules/Regulations -- SUPERVISORY INTERVENTION Allegation #2: Professionalism/Responsibility of Supervisor – SUPERVISORY INTERVENTION</p> <p>The evidence demonstrated that the named supervisor and officers failed to competently respond to the domestic violence incident and that their failure to comply with the applicable policies and procedures, and to exercise prudent discretion, unnecessarily complicated the Department’s response to the situation, causing unnecessary distress to the victim of the domestic violence.</p> <p>Corrective Action: Named Sergeant #1 received a written reprimand and he and the other officers received additional training regarding domestic violence investigations and arrests.</p>

May - STANDARDS OF CONDUCT: LAWS

Synopsis	Action Taken
It was alleged that the named officer, while in another Washington city attending a bachelor party for his brother, intervened in the arrest of his brother, resulting in the named officer being arrested and released for disorderly conduct.	<p>Allegation #1: Administrative Violation of Law – SUSTAINED Allegation #2: Misuse of Authority – SUSTAINED</p> <p>The evidence demonstrated that the named officer was guilty of the administrative violation of law and misused his authority when he intervened on behalf of brother.</p> <p>Corrective Action: 10 day suspension without pay, write letter of apology to Chief of other law enforcement agency and officers who arrested him, mandatory participation in Employee Assistance Program.</p>
Complainant, whom named officer had escorted from an apartment she shared with a male companion, alleged that named officer failed to take appropriate action regarding a no contact order	<p>Allegation #1: Administrative violation of Law –SUPERVISORY INTERVENTION Allegation #2: Failure to take appropriate action – SUPERVISORY INTERVENTION</p> <p>The evidence demonstrated that named officer may have been confused about enforcement of the no contact order.</p> <p>Corrective action: Named officer received refresher training on domestic violence no-contact orders.</p>

April - STANDARDS OF CONDUCT: INTEGRITY

Synopsis	Action Taken
An anonymous complainant alleged that the named Parking Enforcement Officer was permitting another city employee to receive free parking on city streets by "taking care" of any parking citations the employee may have received.	<p>Allegation: Integrity – SUSTAINED</p> <p>The evidence demonstrated that the named Parking Enforcement Officer, while not voiding any parking citations issued to the city employee or any other person, did issue several Seattle Parking Courtesy Notices (a type of warning without penalty) to the city employee in violation of Department policy addressing integrity.</p> <p>Corrective Action: 10-day suspension with 7 of the 10 days held in abeyance for two years and imposition of the 7 days if the named Parking Enforcement Officer is found to have engaged in any additional misconduct during the specified time period of this closed investigation, along with any other discipline imposed for the subsequent misconduct.</p>

April - STANDARDS OF CONDUCT: INTEGRITY

Synopsis	Action Taken
<p>During the investigation of another OPA-IS Case, it was alleged that the named Parking Enforcement Officer (PEO) was parking his personal vehicle in a parking lot in which he had not paid to park nor was authorized to park, had told another PEO, that he was parking there without payment or authorization, and that PEO then placed a Seattle Parking Courtesy Notice (a type of warning without penalty) on the named PEO's personal vehicle, which would likely give notice to other PEOs not to ticket that vehicle.</p>	<p>Named PEO #1: Allegation: Integrity/Gratuities – SUSTAINED</p> <p>Named PEO #2: Allegation: Integrity – SUSTAINED</p> <p>The evidence demonstrated that PEO #1 issued the Seattle Parking Courtesy Notice to PEO #2's personal vehicle with the apparent intent of colluding with PEO #2 to allow PEO to park free in the parking lot.</p> <p>Corrective Action: Each named PEO received a 1-day suspension without pay.</p>
<p>Complainant alleged that she saw the owner of a restaurant in the north end of the city give free food to unknown officers.</p>	<p>Unknown officers</p> <p>Allegation: Integrity/Gratuities – UNFOUNDED</p> <p>The information provided by the complainant lacked any detail adequate to identify dates, times, officers, or anything else other than the initial e-mail complaint to OPA-IS that unknown officers were being given free meals by the owner of a particular restaurant. The investigating supervisor was unable to make contact with the complainant to obtain further detail.</p>

April - STANDARDS OF CONDUCT: HONESTY

Synopsis	Action Taken
<p>The complainant, whom the named officers had arrested for prostitution during a Vice Unit operation along a major arterial in the north end of the city, (1) alleged that named officer #1, an undercover officer, was (a) dishonest in reporting the facts of the his arrest and (b) failed to recognize the complainant's hearing disability, and to treat him accordingly, and that named officer #2, a member of the Vice Unit arrest team, (a) improperly fondled him while searching him after his arrest and (b) also, as alleged against named officer #1, failed to recognize the complainant's hearing disability, and to treat him accordingly.</p>	<p>Named Officer #1: Allegation #1: Dishonesty – UNFOUNDED Allegation #2: Interpreter/Translator Policy – EXONERATED</p> <p>Named officer #2: Allegation #1: Improper Search – UNFOUNDED Allegation #2: Interpreter/Translator Policy – EXONERATED</p> <p>The evidence demonstrated that the complainant likely embellished or exaggerated the extent of his hearing and that he similarly may have embellished or exaggerated his disagreement over the facts of his arrest in order to cast his prostitution arrest in a light more favorable to his position. The complainant provided OPA-IS inconsistent statements which brought into question the credibility of his allegations.</p>

May - STANDARDS OF CONDUCT: BIASED POLICING

Synopsis	Action Taken
<p>The named officers saw a loud intoxicated male causing a disturbance in a downtown park. The complainant, seated on a nearby bench with family members, alleged that named officers were trying to intimidate her and her family members. Complainant states when she starting taking photographs of officers and demanding their names, named officers took enforcement action against another family member. Complainant alleged named officers were discourteous, exercised poor discretion and engaged in biased policing.</p>	<p>Named Officer #1: Allegation #1: Biased Policing – UNFOUNDED Allegation #2: Discourtesy – SUPERVISORY INTERVENTION Allegation #3: Poor exercise of discretion – EXONERATED</p> <p>Named Officer #2: Allegation #1: Biased Policing – UNFOUNDED Allegation #2: Discourtesy – NOT SUSTAINED</p> <p>Named Officer #3: Allegation #1: Biased Policing – UNFOUNDED Allegation #2: Discourtesy – SUPERVISORY INTERVENTION</p> <p>Named Officer #4: Allegation #1: Biased Policing -- UNFOUNDED Allegation #2: Profanity -- SUSTAINED Allegation #3: Citizen Observation of Officers – UNFOUNDED Allegation #4: Discourtesy – SUPERVISORY INTERVENTION</p> <p>The evidence demonstrated that named officer #4 used profanity. Corrective action: WRITTEN REPRIMAND Evidence also demonstrated that the officers' attempts to respond to the situation could have been perceived as discourteous. A supervisor will discuss the incident with Officer #1, 3 and 4.</p>

April - STANDARDS OF CONDUCT: COMMUNICATIONS/CONFIDENTIALITY

Synopsis	Action Taken
<p>The complainant, whom the named officers had stopped for a traffic violation, alleged that the named officers were rude to him and inappropriately disclosed private information about his traffic violations to his employer.</p>	<p>Named officer #1: Allegation #1: Communication of Confidential Information – SUSTAINED Allegation #2: Professionalism - Discourtesy – SUPERVISORY INTERVENTION</p> <p>Named officer #2: Allegation1: Communication of Confidential Information – SUSTAINED</p> <p>The evidence demonstrated that named officer #1 should not have ended the traffic stop by leaving the complainant's license and other documents on the roof of his car and walking away. The evidence also demonstrated that the named officers lacked a valid purpose in approaching the complainant's employer to disclose to the employer information unrelated to the complainant's employment.</p> <p>Corrective Action: Named officer #1 – written reprimand. Named officer #2 – verbal reprimand.</p>

April - STANDARDS OF CONDUCT: PROFESSIONALISM

Synopsis	Action Taken
<p>Complainant, a defense attorney for one of two individuals who had been in a vehicle stopped by the named officers for reckless driving, after viewing an in-car video tape of the stop, heard language and saw conduct that she believed demonstrated that the named officers during the stop used inappropriate language, unnecessary force, and improperly searched the interior of the vehicle.</p>	<p>Four named officers:</p> <p>Named officer #1: Allegation #1: Professionalism - Profanity – UNFOUNDED Allegation #2: Improper Search – SUPERVISORY INTERVENTION</p> <p>Named officer #2: Allegation #1: Professionalism - Profanity – SUSTAINED Allegation #2: Improper Search – SUPERVISORY INTERVENTION</p> <p>Named officer #3: Allegation #1: Professionalism - Profanity – SUSTAINED Allegation #2: Improper Search – SUPERVISORY INTERVENTION Allegation #3: Unnecessary Use of Force -- EXONERATED</p> <p>Named officer #4: Allegation #1: Professionalism - Profanity – SUSTAINED Allegation #2: Improper Search – SUPERVISORY INTERVENTION</p> <p>The evidence, including in-car video, demonstrated that named officers #2, #3, and #4 used inappropriate language. The evidence also demonstrated that the named officers were likely uncertain about their legal justification for frisking/searching the vehicle that they had stopped, as they offered varying explanations for their effort and the supporting reports lacked clear articulation of the basis for their search. Regarding the allegation of unnecessary use of force by named officer #3, the evidence demonstrated that named officer #3 used minimal, reasonable, and necessary force to control a resistive and uncooperative driver.</p> <p>Corrective Action: Named officer #2 – 20 day suspension without pay and disciplinary transfer from unit of assignment Named officer #3: -- 15-day suspension without pay Named officer #4 – 20-day suspension without pay and transfer from unit of assignment</p>

April - STANDARDS OF CONDUCT: PROFESSIONALISM

Synopsis	Action Taken
<p>The complainant, whom the named officer had stopped for a pedestrian violation and who was subsequently arrested for providing a false name and birth date, alleged that the named officer intimidated him by telling him that his dog, who was with the complainant at the time, would be euthanized after 3 days if the complaint did not retrieve it from the pound on time. The complainant also alleged that the named officer used rude and vulgar language when talking to him.</p>	<p>Allegation #1: Professionalism - Profanity – NOT SUSTAINED Allegation #2: Lack of Courtesy -- SUPERVISORY INTERVENTION</p> <p>The evidence did not permit a finding one way or the other regarding whether the named officer used profane language when speaking with the complainant. The evidence did demonstrate that the named officer, while maybe correct in explaining to the complainant that his dog would likely be euthanized at the pound if not retrieved on time, could have discussed with the complainant other helpful options for the complainant to retain custody of his dog.</p> <p>Corrective Action: The named officer's supervisor discussed with him the benefits of discussing and offering other constructive suggestions to people in complainant's position regarding the care of pets they may have at the time of arrest.</p>
<p>The named officer and his partner, a Department of Corrections (DOC) Officer, were riding in a DOC van when, about midnight, they saw two people in the street apparently involved in a disturbance with one another. They stopped, investigated, and arrested the complainant in this OPA case for robbery of the other person in the disturbance. After being booked into the Youth Service Center, the suspect alleged that the named officer was discourteous to him and used unnecessary force in taking custody of him. OPA-IS added an allegation of failure to use the in-car video system.</p>	<p>Allegation #1: Professionalism - Discourtesy – UNFOUNDED Allegation #2: Unnecessary Use of Force – EXONERATED Allegation #3: Failure to Use the In-Car Video System – SUPERVISORY INTERVENTION</p> <p>The evidence demonstrated that the named officer was not discourteous toward the complainant and that it was the complainant who was repeatedly identifying himself as a member of a violent street gang; repeatedly threatening to have forced intercourse with the mothers and wives of the officers; and repeatedly threatening to kill the officers and their families.</p> <p>The evidence also demonstrated that the named officer used reasonable, necessary, and minimal force to chase down and arrest the complainant (as the robbery suspect), and thoroughly reported the force that he used.</p> <p>The evidence demonstrated that the named officer and his DOC partner that night were riding in a DOC van, which was not configured with an in-car video system, in addition to the fact that they were responding to an in-progress robbery in the middle of the street which they came upon with no notice and, therefore, had little, if any, time to activate an in-car video system.</p> <p>Corrective Action: Deputy Chief discussed with the named officer his desire that Seattle Police Officers not ride in a DOC van unless it is equipped with an in-car video system.</p>

April - STANDARDS OF CONDUCT: PROFESSIONALISM

Synopsis	Action Taken
Complainant, whom the named officer, while working secondary employment as security in a retail business, contacted after the complainant was pointed out by store security as a suspicious person, alleged that the named officer harassed and insulted him. OPA-IS added an allegation for failure to possess a secondary employment permit.	<p>Allegation #1: Professionalism - Discourtesy – NOT SUSTAINED</p> <p>Allegation #2: Lack of Secondary Employment Permit -- SUSTAINED</p> <p>The evidence demonstrated that store security had notified the named officer that the complainant was acting suspiciously in the shoe department and that the named officer contacted the complainant to chat with him. The evidence demonstrated that the named officer acted reasonably and respectfully toward the complainant. The complainant states that he felt the named officer was harassing him. The evidence does not permit a finding one way or the other.</p> <p>The evidence demonstrated that the named officer lacked a secondary employment permit.</p> <p>Corrective Action: Written reprimand</p>
Complainant, the resident of an apartment at which the named officer had just served a narcotics search warrant, contacted a City Council member and alleged that the named officer used poor discretion and acted in conflict with the Medical Marijuana Act.	<p>Allegation #1: Professionalism - Discretion --EXONERATED</p> <p>Allegation #2: Narcotics/Medicinal Marijuana Act --UNFOUNDED</p> <p>The evidence demonstrated that the named officer acted reasonably and lawfully and that the alleged misconduct did not occur.</p>

May - STANDARDS OF CONDUCT: PROFESSIONALISM

Synopsis	Action Taken
Complainant, whom named officer had stopped for a traffic violation, alleged named officer improperly cited him and was rude.	<p>Allegation #1: Professionalism - Courtesy -- SUPERVISORY INTERVENTION</p> <p>Allegation #2: Professionalism - Discretion – SUPERVISORY INTERVENTION</p> <p>The evidence demonstrated that the officer could benefit from discussing his performance with his supervisor.</p> <p>Corrective action: Named officer volunteered to draft a new policy regarding the voiding of citations and was directed to attend Verbal Judo training.</p>
Named officer, while investigating an incident involving multiple gunshots, was collecting spent shell casings in a parking lot when the complainant drove her car into the crime scene, exited her car and asked if she could leave the lot to go home. Complainant alleged named officer used profanity, unnecessary force and refused to identify himself.	<p>Allegation #1: Professionalism - Profanity -- UNFOUNDED</p> <p>Allegation #2: Unnecessary Use of Force -- EXONERATED</p> <p>Allegation #3: Failure to Report Use of Force -- EXONERATED</p> <p>Allegation #4: Failure to Identify – EXONERATED</p> <p>The evidence demonstrated that the named officer, while investigating an incident involving multiple gunshots and a large crowd of people, was justified in escorting the complainant out of the crime scene by grabbing her arm. The evidence demonstrated that the officer conducted himself in a reasonable and appropriate manner and did not use profanity.</p>

May - STANDARDS OF CONDUCT: PROFESSIONALISM

Synopsis	Action Taken
<p>Complainant, who was not present at the time of the event, alleged named officer lacked authority to take enforcement action against his daughter and that named officer used unnecessary force when he pushed complainant's daughter's arms from him when she approached him with something in her hands.</p>	<p>Allegation #1: Professionalism - Discretion -- EXONERATED Allegation #2: Unnecessary Use of Force – EXONERATED</p> <p>The evidence, including in-car video, demonstrated that the named officer's actions were reasonable and appropriate.</p>
<p>Complainants, whom named officers had arrested for committing a felony assault, alleged named officers used unnecessary force when taking them into custody and made fun of complainant's middle name. OPA added allegations of failure to use the in-car video system.</p>	<p>Named Officer #1 Allegation #1: Professionalism - Courtesy -- UNFOUNDED Named Officer #2: Allegation #1: Professionalism - Courtesy -- UNFOUNDED Named Officer #3: Allegation #1: Professionalism - Courtesy -- UNFOUNDED Allegation #2: Failure to Use In-Car Video -- EXONERATED Allegation #3: Unnecessary Use of Force -- EXONERATED Named Officer #4 Allegation #1 Professionalism - Courtesy - UNFOUNDED: Allegation #2: Failure to Use In-Car Video - EXONERATED Allegation #3: Unnecessary Use of Force – EXONERATED</p> <p>The evidence demonstrated that named officers, in arresting the felony assault suspects, were not discourteous, used only reasonable and necessary use of force, and did not violate department policy regarding the use of in-car video.</p>
<p>Complainant, whom named Parking Enforcement Officer (PEO), had cited for a parking violation, alleged that the named PEO lied to him regarding the time the citation was issued, was rude to him and threatened to have him arrested if he made a complaint against him.</p>	<p>Allegation #1: Professionalism - Courtesy – NOT SUSTAINED Allegation #2: Retaliation – NOT SUSTAINED Allegation #3: Honesty – NOT SUSTAINED</p> <p>The evidence could not determine whether the alleged misconduct occurred.</p>
<p>Complainant, whom officers were attempting to arrest for violation of a No Contact Order, fled a hotel room and had to be chased by several officers before he was captured and arrested. A third-party witness, unconnected to the incident, alleged that an officer used vulgar language and unnecessary force when arresting the suspect.</p>	<p>Unknown Officer Allegation #1: Professionalism - Profanity – NOT SUSTAINED Allegation #2: Unnecessary Use of Force – NOT SUSTAINED</p> <p>The evidence demonstrated that fourteen officers were assigned to the event and that it was not possible to reasonably associate any of them to the misconduct alleged by the third-party witness who observed a portion of the event.</p>

May - STANDARDS OF CONDUCT: PROFESSIONALISM

Synopsis	Action Taken
Complainant, whom the named officer had arrested for DUI, alleged that the named officer made sexually suggestive comments during the arrest process.	<p>Allegation: Professionalism - Courtesy – SUPERVISORY INTERVENTION</p> <p>The evidence demonstrated that the named officer made comments that were unnecessary and irrelevant to the work at hand. The evidence demonstrated that the named officer's justification that he was attempting to build rapport with the complainant lacked persuasiveness.</p> <p>Corrective Action: Named officer's supervisor discussed with him the importance of remaining focused on his work and avoiding unnecessary comments that could complicate matters.</p>

April - STANDARDS OF CONDUCT: RULES/REGULATIONS

Synopsis	Action Taken
A due diligence review of Department employees revealed that the named employee's driver's license had been suspended for two months for failure to pay the fine on a parking infraction and that the named employee had not reported this to the Department, as required by Department policy.	<p>Allegation: Complaint Process/Reporting Requirements – SUPERVISORY INTERVENTION</p> <p>The evidence demonstrated that the named employee's driver's license had been briefly suspended for failure to pay the fine on a parking violation. Named employee promptly paid it.</p> <p>Corrective Action: Employee's supervisor discussed with her the importance of keeping the Department informed of any changes in driving status.</p>
Complainant, who was involved in a traffic collision which the named officer had been dispatched to investigate, alleged that the named officer failed to take enforcement action against the other driver, whom the complainant thought was intoxicated. OPA-IS added the allegation of failure to use the in-car video system.	<p>Allegation #1: Collision/Failure to Take Enforcement Action – EXONERATED</p> <p>Allegation #2: Professionalism/Discretion – UNFOUNDED</p> <p>Allegation #3: Failure to Use In-Car Video System – SUPERVISORY INTERVENTION</p> <p>The evidence demonstrated that the named officer competently investigated the collision and reasonably concluded that he would not take enforcement action against either party based upon his evaluation of the evidence. The evidence also demonstrated that the named officer failed to use his in-car video system in compliance with Department policy.</p> <p>Corrective Action: The named officer's supervisor discussed with him the requirement of using the in-car video system.</p>

April - STANDARDS OF CONDUCT: RULES/REGULATIONS

Synopsis	Action Taken
<p>The complainant, whom the named officers had arrested for violation of a no contact order, alleged that the named officers failed to properly secure him with a seatbelt in the patrol car, causing him to bump his head en route to being booked into the jail.</p>	<p>Named officer #1: Allegation: Improper Prisoner Handling/Seatbelt – SUPERVISORY INTERVENTION</p> <p>Named officer #2: Allegation: Improper Prisoner Handling/Seatbelt – EXONERATED</p> <p>The evidence demonstrated that the complainant was passive and that named officer #1 should have secured the complainant with a seatbelt during transport in the patrol car.</p> <p>Corrective Action: Named officer #1's supervisor discussed with him the importance of protecting prisoners during transportation in vehicles.</p>
<p>An attorney submitted a letter to the mayor alleging that an unknown officer(s) improperly searched his client's vehicle, home, and person while investigating a home invasion robbery. The attorney described himself as a mediator and not a defense attorney, stating his "client" was willing to quietly settle this matter for a reasonable sum.</p>	<p>Unknown officer(s)</p> <p>Allegation #1: Improper Search – ADMINISTRATIVELY UNFOUNDED Allegation #2: Response to Sick/Injured Person -- ADMINISTRATIVELY UNFOUNDED Allegation #3: Biased Policing --ADMINISTRATIVELY UNFOUNDED</p> <p>The OPA-IS investigator was unable to obtain a statement from the alleged recipient of the alleged misconduct. The OPA-IS investigator followed up on all of the information provided by the complainant and all that was available from Department data bases. The information and evidence available demonstrated that the alleged misconduct simply did not occur.</p>

May - STANDARDS OF CONDUCT: RULES/REGULATIONS

Synopsis	Action Taken
<p>Complainant, a Department employee, alleged that the named captain spread a rumor that the complainant was having an extramarital affair with a co-worker in an attempt to have the complainant removed from his current work assignment.</p>	<p>Allegation: Responsibilities of Supervisors – SUPERVISORY INTERVENTION</p> <p>The evidence demonstrated that the named captain should have been more prudent in his attempt to address the situation.</p> <p>Corrective Action: The named captain's supervisor discussed with him the importance of exercising appropriate discretion when attempting to investigate matters disruptive to the workplace.</p>
<p>Anonymous complainant sent a letter to several City departments alleging that the named employee routinely did not come to work but was, nonetheless, receiving full compensation.</p>	<p>Allegation #1: Violation of Rules and Regulations – ADMINISTRATIVELY CLOSED VIA SETTLEMENT Allegation #2: Complaint Process/Reporting Requirements -- ADMINISTRATIVELY CLOSED VIA SETTLEMENT</p>

May - STANDARDS OF CONDUCT: RULES/REGULATIONS

Synopsis	Action Taken
It is alleged that named employee failed to report to the department that her driver's license had been suspended for 20 days for failure to pay traffic fines.	<p>Allegation #1: Complaint Process - Reporting Requirement – SUPERVISORY INTERVENTION</p> <p>The evidence did not permit a precise determination of when her license was suspended.</p> <p>Corrective action: Supervisor discussed with named employee the importance of ensuring her license is valid.</p>
It is alleged, after a finding of a preventable collision by the traffic collision review board, that named officer was operating his patrol car at an unsafe speed without wearing his seat belt.	<p>Allegation #1: Emergency Vehicle Operation -- SUSTAINED</p> <p>Allegation #2: Failure to Wear Seat Belt – SUSTAINED</p> <p>The evidence demonstrated that named officer was operating his patrol car at speed too high for conditions and that he was not wearing his seatbelt.</p> <p>Corrective action: 5-day suspension without pay</p>
Complainant alleged named officers unlawfully entered his home to arrest him under a domestic violence warrant because they lacked probable cause to believe he was in the residence at the time. Complainant alleged named officers were also rude to him.	<p>Named Officer #1:</p> <p>Allegation #1: Searches – SUPERVISORY INTERVENTION</p> <p>Allegation #2: Courtesy -- UNFOUNDED</p> <p>Named Officer #2:</p> <p>Allegation #1: Searches – SUPERVISORY INTERVENTION</p> <p>Allegation #2: Courtesy -- UNFOUNDED</p> <p>Named Officer #3:</p> <p>Allegation #1: Searches – SUPERVISORY INTERVENTION</p> <p>Allegation #2: Courtesy – UNFOUNDED</p> <p>The evidence demonstrated the named officers had a valid domestic violence assault warrant for the complainant's arrest but they should have possessed additional information prior to entering his residence to serve the arrest warrant. The evidence demonstrated named officers were reasonable in not allowing complainant to enter his bathroom without being accompanied by the officers.</p> <p>Corrective Action: Review training regarding authority to enter residences with only an arrest warrant.</p>
Complainant alleged named officers unlawfully entered his home to investigate a possible assault.	<p>Named Officer #1</p> <p>Allegation: Improper Search – ADMINISTRATIVELY EXONERATED</p> <p>Named Officer #2</p> <p>Allegation: Improper Search – ADMINISTRATIVELY EXONERATED</p> <p>Named Officer #3</p> <p>Allegation: Improper Search – ADMINISTRATIVELY EXONERATED</p> <p>The evidence demonstrated that the alleged misconduct did not occur.</p>

May - STANDARDS OF CONDUCT: RULES/REGULATIONS

Synopsis	Action Taken
<p>Complainant, whom the named officers were observing late at night, in a downtown area known for illegal narcotics dealing, serially contacting several individuals, alleged that the named officers temporarily detained him without justification and used inappropriate language toward him.</p>	<p>Named Officer #1: Allegation #1: Terry Stop/Introduction – UNFOUNDED Allegation #2: Courtesy – NOT SUSTAINED Named Officer #2: Allegation: Terry Stop/Introduction – UNFOUNDED Named Officer #3: Allegation: Terry Stop/Introduction – SUPERVISORY INTERVENTION</p> <p>The evidence demonstrated that the named officers had a reasonable suspicion to temporarily detain the complainant for suspicion of illegal narcotics dealing but that Named Officer #3 should have better explained to the complainant their reason for stopping him. The evidence could not establish one way or the other whether Named Officer #1's word choice was intended to cause concern to the complainant or was banter among the named officers.</p> <p>Corrective Action: Named Officer #3's supervisor discussed with him the benefits of conveying to the suspect temporarily detained the reason for the detention.</p>
<p>It is alleged that the named officer used the Department's e-mail system to send an inappropriate e-mail to a co-worker.</p>	<p>Allegation: Misuse of Department E-mail System – SUPERVISORY INTERVENTION</p> <p>The evidence demonstrated that the named officer had sent an inappropriate e-mail and that the named officer frankly admitted his indiscretion and took responsibility for it.</p> <p>Corrective Action: The named officer's supervisor discussed with him the importance of complying with the Department's e-mail/internet usage policy.</p>

April - STANDARDS OF CONDUCT: MISHANDLING PROPERTY/EVIDENCE

Synopsis	Action Taken
<p>Complainant, who was arrested for alleged possession of stolen gift cards, alleged that his parked vehicle was impounded and searched without his consent and property from the vehicle improperly seized.</p>	<p>Unknown employee</p> <p>Allegation #1: Vehicle Evidence/Seizure Policy --ADMINISTRATIVELY INACTIVATED Allegation #2: Evidence & Property Policy -- ADMINISTRATIVELY INACTIVATED</p> <p>The Special Assignments Unit of the Seattle Police Department notes that the complainant is under an active federal criminal investigation and that criminal charges against the complainant are anticipated. Complainant is unwilling to provide additional information regarding his allegations and available investigative leads have been exhausted. Pending additional evidence, the case is inactivated.</p>

May - STANDARDS OF CONDUCT: MISHANDLING PROPERTY/EVIDENCE

Synopsis	Action Taken
Complainant, who was associated with a traffic collision that the named officer was investigating, alleged that the named officer failed to return complainant's wallet to him and seized without justification a handgun from the complainant.	<p>Allegation #1: Mishandling Property/Evidence – NOT SUSTAINED</p> <p>Allegation #2: Discretion – EXONERATED</p> <p>The evidence could not establish one way or the other whether the named officer ever had custody of the complainant's wallet. The evidence established that the named officer was justified under the circumstances in seizing complainant's handgun.</p>

April - UNNECESSARY FORCE

Synopsis	Action Taken
Complainant, whom the named officers arrested for a domestic violence incident, alleged that the named officers did not call a female officer to the scene of the arrest to assist her and that the named officers refused to summon medical aid for her broken and casted arm.	<p>Two named officers, same allegations, and same findings</p> <p>Allegation #1: Use of Force/Medical Aid --UNFOUNDED</p> <p>Allegation #2: --Professionalism/Discretion --SUPERVISORY INTERVENTION</p> <p>The evidence demonstrated that the complainant declined medical screening for the alleged pain in her wrist and that the named officers offered to accommodate her request that they bring X-rays of her hand to the jail when they booked her. The evidence demonstrated that it was not the handcuffing by the named officers that caused pain to complainant's wrist but, by complainant's admission, her wrist was injured by her ex-boyfriend.</p> <p>The evidence demonstrated that the named officers should not have pursued the ex-boyfriend's allegations that the complainant had damaged his property but should have remained in their original role as standbys to maintain the peace as the ex-boyfriend retrieved his property from the complainant's residence.</p> <p>Corrective Action: Supervisor of the named officers discussed with them the importance of acting prudently, and in accordance with Department policy, when standing by to maintain the peace in domestic violence situation where parties are retrieving property in the possession of the other party.</p>
Complainant, whom the named officer had arrested for car prowling, alleged that the named officer used unnecessary force on him by Tasing him.	<p>Allegation: Unnecessary Use of Force -- ADMINISTRATIVELY EXONERATED</p> <p>The evidence, including a Use of Force Report and evaluation of the complainant by Seattle Fire Department Medics, demonstrated that the named officer used reasonable and necessary force on the complainant when subduing him and properly reported the use of that force.</p>

April - UNNECESSARY FORCE

Synopsis	Action Taken
<p>Complainant sent an e-mail to the mayor's office alleging a man had been the victim of police brutality, with no additional information. The mayor's office forwarded the e-mail to OPA-IS.</p>	<p>Unknown employee</p> <p>Allegation: Unnecessary Use of Force --ADMINISTRATIVELY INACTIVATED</p> <p>The evidence demonstrated that the complainant had learned of the alleged brutality from a Facebook post of another person. Complainant had no personal knowledge of the alleged misconduct. The available information has been evaluated and without further detail no additional investigative leads are apparent. Therefore, the case is inactivated pending the discovery of additional evidence that warrants follow up investigation.</p>

May - UNNECESSARY FORCE

Synopsis	Action Taken
<p>Complainant, who was not at the scene, alleged that named officers used unnecessary force in taking custody of a mentally ill male walking in the street talking to himself and disrobing.</p>	<p>Three named officers Same allegation and finding for each. Unnecessary use of force – ADMINISTRATIVELY EXONERATED</p> <p>The evidence, including six third-party witnesses and in-car video, demonstrated that named officers used reasonable and necessary force to control the subject.</p>
<p>Complainant, whom named officer had stopped for a traffic infraction, alleged named officer, for no reason, twisted his wrist, causing pain. Complainant also alleged named officer unlawfully confiscated his handgun and concealed weapons permit. Two weeks later, the complainant again being stopped by named officer for a traffic offense, alleged that this second stop, which resulted in named officer impounding his car, proves named officer was unfairly targeting him for enforcement action.</p>	<p>Allegation #1 – Use of Force – UNFOUNDED Allegation #2: Improper Search – UNFOUNDED Allegation #3: Evidence & Property – UNFOUNDED</p> <p>The evidence demonstrated that the officer was legally justified in stopping complainant and taking the enforcement action documented. The alleged misconduct simply did not occur.</p>

May - UNNECESSARY FORCE

Synopsis	Action Taken
Complainant, whom named officers had arrested for selling narcotics to an undercover officer, alleged that named officers used unnecessary force in arresting him, used profanity and improperly seized money from him.	<p>Named Officer #1: Allegation #1: Reporting Use of Force – EXONERATED</p> <p>Named Officer #2 (unknown) Allegation #1: Unnecessary Use of Force – NOT SUSTAINED Allegation #2: Profanity – NOT SUSTAINED Allegation #3: Exercise of Discretion – EXONERATED</p> <p>The evidence demonstrated that named officer #1 used force that was reasonable and necessary and properly reported his use of force. It could not be determined whether unknown officer #2 used excessive force or profanity. The evidence demonstrated that officers had justification to arrest complainant and seize his cash as evidence.</p>
Complainant, whom named officer arrested for harassment of a grocery store manager, alleged named officer used unnecessary force when positioning him against the patrol car while taking him into custody.	<p>Allegation #1: Unnecessary use of Force – ADMINISTRATIVELY UNFOUNDED</p> <p>The evidence demonstrated that the alleged misconduct did not occur.</p>
The complainant, whom named officers had removed from a Metro Bus for creating a disturbance, alleged that named officers used unnecessary force escorting him from the bus and failed to return his electronic cigarette to him upon his release from jail,	<p>Named Officer #1 Allegation #1: Unnecessary Use of Force -- EXONERATED Allegation #2: Failure to Safeguard Property -- EXONERATED</p> <p>Named Officer #2: Allegation #1: Unnecessary Use of Force -- EXONERATED Allegation #2: Failure to Safeguard Property – EXONERATED</p> <p>The evidence demonstrated that the officers used reasonable and necessary force to escort complainant from the bus and that named officers followed proper procedures for safeguarding property.</p>
Complainant, whom the named officer had stopped for speeding, with un-seatbelted children in the car, alleged named officer beat on her car and pushed her back into her car.	<p>Allegation #1: Unnecessary Use of Force – ADMINISTRATIVELY UNFOUNDED Allegation #2: Courtesy – ADMINISTRATIVELY UNFOUNDED</p> <p>The evidence, including in-car video, established that the alleged misconduct did not occur.</p>

May - UNNECESSARY FORCE

Synopsis	Action Taken
<p>Complainant, whom officers working off-duty at a sporting event were removing from the stadium at the request of stadium security for creating a disturbance with other spectators, alleged the named officer and an unknown officer used unnecessary force on him to escort him out of the stadium and refused to identify themselves to him when asked.</p>	<p>Named Officer #1: Allegation #1: Unnecessary Use of Force – EXONERATED Allegation #2: Failure to Identify – EXONERATED</p> <p>Unknown Officer #2: Allegation #1: Unnecessary Use of Force – NOT SUSTAINED Allegation #2: Failure to Identify – NOT SUSTAINED</p> <p>The evidence demonstrated that Named Officer #1 used reasonable, necessary, and minimal force to escort the complainant and complied with the Department policy regarding identifying himself. The second involved officer could not be identified and may have not even been a Seattle Police.</p>
<p>Complainant alleged that named officer, who was flagging traffic at a construction site, without justification, forcefully pushed him into a nearby truck and made disparaging remarks to him as he attempted to cross the road. Complainant alleged named officer refused to identify himself when asked. OPA subsequently added allegations that named officer lacked a secondary employment permit and failed to log in over police radio.</p>	<p>Allegation #1: Use of Force -- UNFOUNDED Allegation #2: Reporting the Use of Force -- UNFOUNDED Allegation #3: Professionalism – Duty to Identify -- SUSTAINED Allegation #4: Secondary Employment - Radio Responsibilities: SUSTAINED Allegation #5: Secondary Employment - Permits – SUPERVISORY INTERVENTION Allegation #6: Courtesy – SUSTAINED</p> <p>The evidence demonstrated that the named officer did not use the alleged force but failed to identify himself when requested, lacked a secondary employment permit for this job, failed to log in over radio and was discourteous toward complainant. Corrective action: Written Reprimand and retraining regarding duty to identify, secondary employment procedures and professional conduct.</p>

Definitions of Findings:

“Sustained” means the allegation of misconduct is supported by a preponderance of the evidence.

“Not Sustained” means the allegation of misconduct was neither proved nor disproved by a preponderance of the evidence.

“Unfounded” means a preponderance of evidence indicates the alleged act did not occur as reported or classified, or is false.

“Exonerated” means a preponderance of evidence indicates the conduct alleged did occur, but that the conduct was justified, lawful and proper.

“Supervisory Intervention” means while there may have been a violation of policy, it was not a willful violation, and/or the violation did not amount to misconduct. The employee’s chain of command is to provide appropriate training, counseling and/or to review for deficient policies or inadequate training.

“Administratively Unfounded/Exonerated” is a discretionary finding which may be made prior to the completion that the complaint was determined to be significantly flawed procedurally or legally; or without merit, i.e., complaint is false or subject recants allegations, preliminary investigation reveals mistaken/wrongful employee identification, etc, or the employee’s actions were found to be justified, lawful and proper and according to training.

“Administratively Inactivated” means that the investigation cannot proceed forward, usually due to insufficient information or the pendency of other investigations. The investigation may be reactivated upon the discovery of new, substantive information or evidence. Inactivated cases will be included in statistics but may not be summarized in this report if publication may jeopardize a subsequent investigation.

Mediation Program:

The OPA Director selected 5 cases to be resolved through the Mediation Program during April and May of 2011.

Of the 5 cases selected for the Mediation Program, 3 complainants declined to participate. In 1 case, OPA has not made contact with the complainant and 1 case is being scheduled for mediation.

Cases Opened (2010/2011 by Month Comparison)

Date	PIR		SR		LI		IS		TOTAL	
	2010	2011	2010	2011	2010	2011	2010	2011	2010	2011
1/1-1/31	8	9	8	8	1	1	12	19	29	37
2/1-2/28	18	19	9	5	1	1	16	17	44	42
3/1-3/31	30	12	6	7	1	3	16	10	53	32
4/1-4/30	31	17	9	14	3	6	13	17	56	54
5/1-5/31	15	25	10	12	3	2	23	17	51	56
6/1-6/30	25		14		1		13		53	0
7/1-7/31	23		10		1		18		52	0
8/1-8/31	20		6		3		12		41	0
9/1-9/30	16		9		4		17		46	0
10/1-10/31	13		9		5		17		44	0
11/1-11/30	12		16		8		19		55	0
12/1-12/31	18		13		2		13		46	0
Totals	229	82	119	46	33	13	189	80	570	221

Complaint Classification

Preliminary Investigation Report (PIR) complaints involve conduct that would not constitute misconduct and are referred to the employee's supervisor for follow up.

Supervisory Referral (SR) complaints are those that, even if events occurred as described, signify minor misconduct and/or a training gap. The complaint is referred to the employee's supervisor for review, counseling, and training as necessary.

Line Investigations (LI) complaints involving minor misconduct are investigated by the officer's chain of command.

Investigation Section (IS) complaints are more complex and involve more serious allegations and are investigated by OPA-IS.

