

**Office of Professional Accountability (OPA)
Commendations & Complaints Report
July 2010**

Commendations:

Commendations Received in June: 7

Commendations Received to Date: 34

Officer Ian Walsh	Several community members commend Officer Walsh for his restraint and composure in dealing with an assaultive person while surrounded by a verbally and taunting crowd of bystanders.
Parking Enforcement Officer Robin Booth	A PEO supervisor commends PEO Booth for her vigilance in observing and gathering information regarding a suspicious person she saw using the gas pumps at the Charles Street garage facility, the site of a serious arson several months ago.
Officer James Bulawa	Victims of a home burglary commend Officer Bulawa for his "professionalism," "demonstrated caring," and helpfulness while investigating the burglary of their home.
Unknown Officer	Motorist stranded in a broken down car on a busy street commends the officer who assisted her, noting the officer was "cheerful" and demonstrated a "great attitude" when helping her with this stressful situation.
Officer Steve Stone	Victim of a hit and run traffic collision with a parked car commends Officer Stone for his "outstanding service," "relaxed and competent demeanor," and his "professionalism" and "supportive" manner while investigating the incident. Victim comments Officer Stone "answered all of our questions," "explained the process," and is an "excellent representative of the Seattle Police Department."
Officers Julius Adams and Corey Williams	Community member involved in a traffic collision commends Officers Adams and Williams for their "prompt response" and assistance investigating the collision.
Officer Heather Roufs	Victim whose car had been stolen commends Officer Roufs for "being very calm, informative, and reassuring" while investigating this "stressful situation" and for providing transportation home for the victim.

June 2010 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.

Cases are reported by allegation type. One case may be reported under more than one category.

STANDARDS OF CONDUCT: VIOLATION OF LAWS

Synopsis	Action Taken
Complainant alleged named employee intentionally kicked the side of complainant's car, causing a dent after issuing a parking citation.	<p>Allegation: Administrative Violation of Law (Property Damage) – UNFOUNDED</p> <p>The evidence, including a review of the case by the City Law Department, established the alleged misconduct simply did not occur.</p>

STANDARDS OF CONDUCT: RULES/REGULATION

Synopsis	Action Taken
Complainant observed named employee (retired officer with extended authority commission) with the odor of an alcoholic beverage on his breath.	<p>Allegation: Improper Use of Alcohol/Substance – SUSTAINED</p> <p>The evidence established the named employee did drink alcoholic beverages during the course of his traffic control employment.</p> <p>Corrective Action: Revocation of Extended Authority Commission; should named employee reapply for Commission in the future, application may receive favorable consideration if, 1) provide proof of successful completion of alcohol treatment program; 2) agree not to perform off-duty work in immediate area of 4th Ave So & So. Washington St; and 3) agree that any future violations, including rudeness, lack of professionalism, working in the immediate area of 4th Ave. So and So. Washington St., etc. will result in the revocation of Special Commission.</p>

STANDARDS OF CONDUCT: PROFESSIONALISM

Synopsis	Action Taken
<p>Complainant alleged that named employee was discourteous and should not have issued the citation and that the named employee retaliated by issuing a second citation after the community member complained to OPA about the appropriateness of the first citation.</p>	<p>Allegation #1: Professionalism/Exercise of Discretion – SUPERVISORY INTERVENTION Allegation #2: Complaint Process/Retaliation – SUPERVISORY INTERVENTION</p> <p>The evidence established named employee should have exercised better discretion while performing his duties, including considering other alternatives to issuing a second citation to the complainant, even though there was a valid parking infraction upon which to base the issuance of the second citation.</p> <p>Corrective Action: Named employee's supervisor discussed with the employee the pros and cons of using different levels of enforcement action to promote compliance with parking.</p>

UNNECESSARY FORCE

Synopsis	Action Taken
<p>Complainant, who had just received a traffic citation by one of the multiple named officers in this incident, alleged named officer and officers responding to assist slammed a car door on complainant's leg, pointed guns at him, and failed to identify themselves to him.</p>	<p>Two named officers: Allegation: Unnecessary Use of Force – UNFOUNDED Four named officers: Allegation: Professionalism- Duty to Identify – EXONERATED</p> <p>The evidence, including in-car video, established named officers did not use the force alleged by complainant and that officers complied with Department policy regarding identifying themselves.</p>
<p>Complainant, who was the victim of an assault by his spouse, alleged named officer used unnecessary force to prevent the suspect from pushing her way out of a holding cell at the precinct where she had been transported for processing and booking into jail.</p>	<p>Allegation: Unnecessary Use of Force – EXONERATED</p> <p>The evidence, including holding cell video, established that the force used by named officer was minimal, reasonable, and necessary.</p>
<p>Complainant, who witnesses reported had been threatening people in a downtown park with a knife, alleged named officer used excessive force when disarming him of the knife.</p>	<p>Allegation: Unnecessary Use of Force – EXONERATED</p> <p>The evidence established named officer used reasonable and necessary force in removing a knife from the possession of the complainant who had been using it to threaten other people in the park.</p>

UNNECESSARY FORCE

Synopsis	Action Taken
Complainant alleged named officer, for no reason, stopped him as he was jogging to catch a bus, punched him in the leg, and detained him inappropriately.	<p>Allegation: Unnecessary Use of Force – ADMINISTRATIVELY UNFOUNDED</p> <p>The evidence, including in-car video, established that the named officer had a legitimate reason for stopping complainant whom he observed jiggling the doorknob of a residence not his own, then jogging away from named officer as he approached to investigate. The named officer had a reasonable suspicion to temporarily detain complainant and promptly released him upon resolving the officer's reasonable suspicion that he may have been involved in criminal activity.</p>

Mediation Program:

The OPA Director selected 4 cases to be resolved through the Mediation Program during June of 2010.

Of the 4 cases selected for the Mediation Program, 2 complainants declined to mediate. In 1 case the complainant did not respond to contacts made by OPA and 1 case is scheduled for mediation in July 2010.

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.

Cases Opened (2008/2009 by Month Comparison)

Date	PIR		SR		LI		IS		TOTAL	
	2009	2010	2009	2010	2009	2010	2009	2010	2009	2010
1/1-1/31	18	8	3	8	1	1	15	12	37	29
2/1-2/28	14	18	6	9	2	1	8	16	30	44
3/1-3/31	16	30	3	6	6	1	15	16	40	53
4/1-4/30	15	31	6	9	5	3	12	13	38	56
5/1-5/31	20	15	10	10	3	3	9	23	42	51
6/1-6/30	14	25	9	14	3	1	8	13	34	53
7/1-7/31	16		11		0		17		44	0
8/1-8/31	16		9		1		14		40	0
9/1-9/30	21		9		1		16		47	0
10/1-10/31	21		8		1		13		43	0
11/1-11/30	23		10		3		14		50	0
12/1-12/31	19		4		0		7		30	0
Totals	213	127	88	56	26	10	148	93	475	286



