

**Office of Professional Accountability (OPA)
Commendations & Complaints Report
June 2008**

Commendations:

Commendations Received in June: 27

Commendations Received to Date: 127

<i>Abraham, John</i>	Officer John Abraham received a commendation for his participation in the Body Armor Technology Work Group, indicating that his dedication to his fellow officers is evident.
<i>Belshay, Richard</i>	Captain Richard L. Belshay received a letter of appreciation from the U.S. Department of State for his outstanding support and performance provided during the April visit to Seattle by the Dalai Lama.
<i>Brown, Steven Christiansen, Rande Fowler, Christopher</i>	Detective Rande Christiansen, Lieutenant Chris Fowler and Captain Steve Brown received a letter of commendation for their individual presentations to Seattle Judicial Officers and Bailiffs of the court. The careful planning and coordination of all presentations was successful, and all were clear comprehensive, thorough, and engaging. The training gave the bench a better understanding of how security is provided to the court.
<i>Burrows, David Carver III, Leonard Nollette, Deanna Rodgers, James Turner, Raymond Williams, Gregory</i>	Lieutenant Deanna Nolette and several Detectives and Officers received a commendation from a Representative of "Corporate Security Department," a cash handling and armored transportation company. All involved from the Seattle Police Department helped in getting a more detailed confession and the arrest of the suspect. Their involvement went above and beyond expectations of "Corporate Security Department."
<i>Chang, Patrick</i>	Officer Patrick Change received a commendation from a victim whose car was involved in a hit and run. Officer Change was successful in finding the woman responsible for hitting the victim's car and handled the situation compassionately and professionally.
<i>Gardea, Oscar</i>	Officer Oscar Gardea received a letter of commendation for his assistance and expertise that resulted in the recovery of a stolen vehicle taken during a residential burglary.
<i>Guyer II, William Long, Ryan Vanbrunt, Bryan</i>	Sergeant Ryan Long and Detectives William Guyer and Brian Van Brunt received a letter of commendation from a Prosecuting Attorney for their commitment, hard work and follow-through on a case that had at times been difficult.
<i>Hanf, Mark Wilson, Marsha</i>	Detectives Mark Hanf and Marsha Wilson received a booklet of cards and pictures from the Seattle Urban Academy Students. A CSI and Forensics presentation was done at the school and the students really appreciated the Detectives' time and effort and found the program informative.

Hansen, Christopher Lednicky, Forrest Pieper, Peter	A commendation letter was sent to Detective Chris Hansen, Sergeant Peter Pieper and Student Officer Forest Lednicky for their assistance to the Insurance Commissioners Office of the Special Investigations Unit. They were instrumental in the investigation of insurance fraud by a Seattle- based construction company, and their professionalism and cooperation was appreciated.
Hillan, Bridget	Officer Bridget Hillan received a letter of commendation. Officer Hillan responded to a burglary call where the victim had his anti-cancer medications stolen. Officer Hillan showed empathy and that she really cared, and as a result, the victim is filled with humility and a fond appreciation for the Officer's excellent and professional police work.
Johnson, Christopher	Officer Chris Johnson received a letter of commendation for his assistance and expertise in the recovery of a stolen Range Rover.
Kerns, Glenn	Officer Glenn Kerns received a commendation for his assistance in the Chicago Regional Full Scale Terrorism Exercise in 2008. Multiple law enforcement agencies were involved in these full-scale exercises that involved multiple domestic terrorism incidents. The participation of Officer Kerns had a significant impact on the success of these exercises.
Kiehn, Jonathan Thompson, Jeffery	Officers Jonathan Kiehn and Jeffery Thompson received a commendation for their coordinated effort and initiative to build a case against three suspects. All three suspects were charged with two residential burglaries and three auto thefts.
Washburn, Michael	Captain Mike Washburn received a commendation from the City of Tacoma Police Department for his thoroughness and professionalism as an Assessment Center Rater. Captain Mike Washburn's efforts resulted in a valid promotional list being established that will be used to consider sergeants for further advancement in the Tacoma Police Department.

June 2008 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: PROFESSIONALISM

Synopsis	Action Taken
It is alleged that the named employee inappropriately involved himself in an investigation and arrest of an acquaintance.	The investigation determined that the employee's involvement in this matter was not appropriate. Finding—Professionalism—SUPERVISORY INTERVENTION. Finding—Misuse of Authority—SUPERVISORY INTERVENTION
It was alleged that the employee used poor judgment and discretion in the resolution of an intra-family theft investigation.	The preponderance of the evidence established that the named employee acted reasonably when attempting to deescalate the situation and resolve the incident informally. The evidence also determined that the employee failed to reasonably explain her purpose to the primary officers at the scene resulting in poor communication and confusion. Finding—SUPERVISORY INTERVENTION

STANDARDS OF CONDUCT: POLICY/PROCEEDURES

Synopsis	Action Taken
The complainant alleged that the named employee stopped her for a pedestrian violation because of her race and that the employee used unnecessary profanity during the contact. Further, that the employee inappropriately released information concerning the encounter.	The preponderance of the evidence demonstrated that the employee had lawful justification for the stop and that biased policing was not a consideration. Finding—Biased Policing--UNFOUNDED The evidence, including witnesses to the event, did not support the allegation of inappropriate language. Finding—UNFOUNDED The investigation further determined that the employee did, for the purpose of filing a complaint against the complainant, release departmental information inappropriately. Finding—SUSTAINED
The complaint alleged that employees entered her residence without a warrant and that two windows were subsequently broken.	The investigation determined that the employee's intrusion was diminimus and based on an issue of officer safety. As such, it was consistent with departmental policy. Further, there was no evidence to support the allegation that any damage was the result of the employee's actions. Finding--EXONERATED

The complaint states that employees, responding to a call of an accidental discharge of a firearm, illegally entered the residence. The complainant stated that the employees believed they smelled marijuana, but felt that the employees had no reason to enter the residence without permission.	The investigation determined that the employees did not require consent from the complainant to conduct a sweep of the residence to determine if someone may have been injured by the discharge of the firearm. The employees lawfully entered the complainant's house under the authority of their community caretaking function. Finding— ADMINISTRATIVELY EXONERATED
The allegation states that the named employee attempted to persuade a judge by addressing the court on behalf of the defendant. In doing so, he identified himself as an SPD employee without obtaining supervisory approval or making the required notifications as required by policy.	The investigation determined that the alleged conduct occurred as reported. Finding— SUSTAINED

VIOLATION OF LAW

Synopsis	Action Taken
08-0029 A complaint was received that an employee's property was missing and that someone had opened his personal mail.	It was determined that the employee's property had been left unattended and unsecured in a common area for over a month. It further determined that the property allegedly missing might still be located in other locations. No subject(s) could be identified. Finding— ADMINISTRATIVELY INACTIVATED

UNNECESSARY FORCE

Synopsis	Action Taken
The complainant alleged that the named employee reached out and struck the side of her motorcycle helmet as she drove by attempting to stop causing injury to her head and neck.	The employee stated that he had flagged the driver down for a speeding infraction and that he believed the driver was attempting to either run him down or elude. He admitted reaching out and slapping the side of the helmet as the driver passed. It was determined that the slap was both unnecessary and placed both parties in further danger. Finding— Discretion—SUSTAINED
The complainant alleged that employees used unnecessary force during the conduct of an interview and that the threatened to destroy his reputation with family and friends.	The investigation determined that the allegations had been fabricated. The complainant further admitted in a sworn deposition that the current allegations were false. Finding— ADMINISTRATIVELY UNFOUNDED

<p>The complaint stated that the named employee, for no reason, grabbed the complainant and pushed him onto the hood of a patrol car. Further, it alleged that the employee failed to document an incident by completing the appropriate report.</p>	<p>The preponderance of the evidence showed that the employee acted in a reasonable and appropriate manner. The force used was minimal and used to separate the complainant from a second individual as the incident escalated. Further, the named employee documented the incident appropriately. Finding--EXONERATED</p>
<p>The complaint alleges that the named employees used unnecessary force while arresting him.</p>	<p>The investigation determined that the complainant was attempting to avoid his imminent arrest and became combative. The force used was considered appropriate and consistent with departmental policy. Finding—ADMINISTRATIVELY EXONERATED</p>
<p>The complainant alleges that the employee injured him during an arrest, arrested him for no reason and failed to safeguard his property after the arrest.</p>	<p>The preponderance of the evidence, including in car camera video and medical records, established that the employee did not use the force alleged. Finding—Force—UNFOUNDED</p> <p>The complainant's property was located in an area away from the arrest and parked and subsequently towed completely unrelated to the reported incident. The vehicle was impounded and eventually auctioned. This issue is between the complainant and the towing company. Finding—Safeguarding Property--UNFOUNDED</p>

June Cases Mediated:

- Complainant stated that the employee was rude and abrupt and repeatedly told her to shut up and threatened to take her to jail.

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.

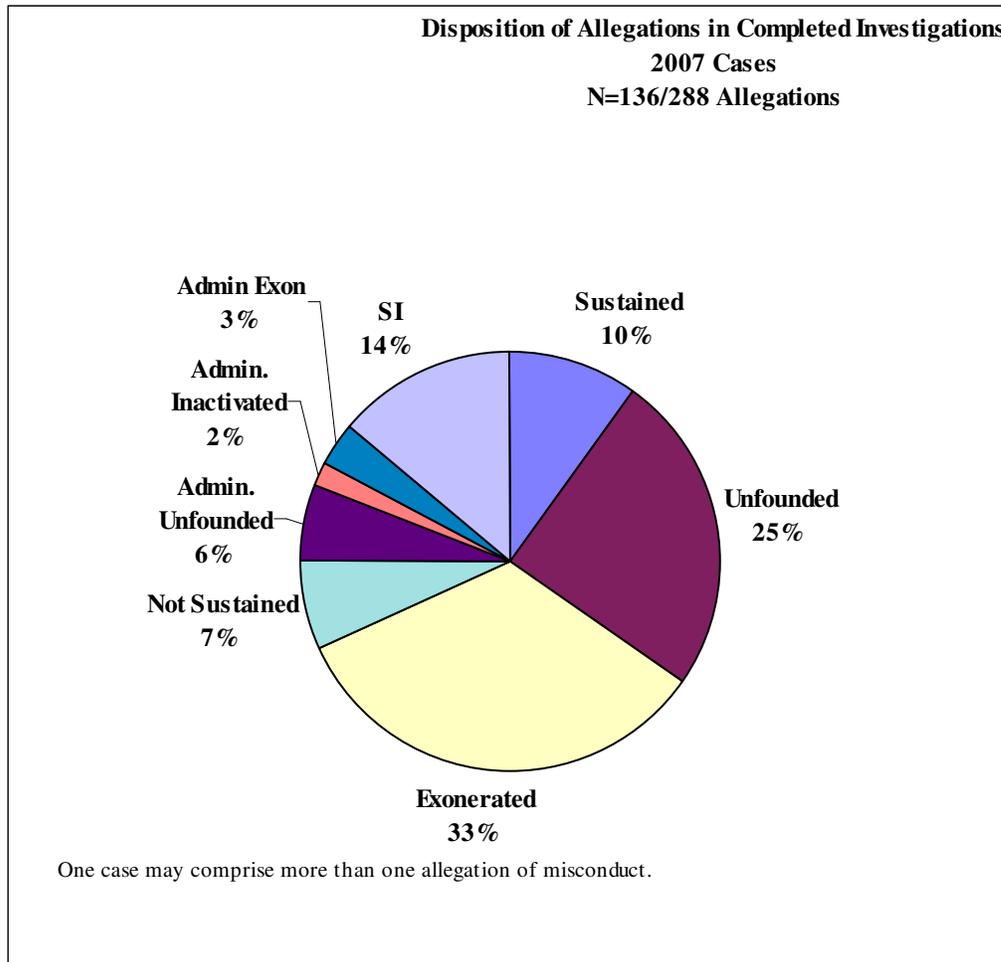
“Administratively Unfounded/Exonerated” is a discretionary finding which may be made prior to the completion that the complaint was determined to be significantly flawed procedurally or legally; or without merit, i.e., complaint is false or subject recants allegations, preliminary investigation reveals 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 (2007/2008 by Month Comparison)

Date	PIR		SR		LI		IS		TOTAL	
	2007	2008	2007	2008	2007	2008	2007	2008	2007	2008
1/1-2/15	39	37	14	7	0	2	19	15	72	61
2/16-3/15	25	22	6	9	1	1	13	11	45	43
3/16-4/15	20	20	3	5	2	1	14	5	39	31
4/16-5/15	37	21	10	5	1	2	12	14	60	42
5/16-6/15	31	22	7	2	1	0	7	11	46	35
6/16-7/15	41	10	9	2	1	2	13	10	64	24
7/16-8/15	30		9		1		15		55	
8/16-9/15	27		14		1		14		56	
9/16-10/15	16		10		0		13		39	
10/16-11/15	22		6		1		14		43	
11/16-12/15	21		8		3		15		47	
12/16-12/31	6		1		2		3		12	
Totals	316	132	97	30	14	8	152	66	579	236

2007 Cases Closed to Date



2008 Cases Closed to Date

