

## Office of Professional Accountability (OPA) Commendations & Complaints Report Sept 2008

### Commendations:

Commendations Received in Sept: 25

Commendations Received to Date: 220

<b>Anderson, Valarie Chavez Jr, Dave</b>	Mr. Chavez, Grants Manager and Ms. Anderson, Chief Administration Officer, received a letter of thanks from the U.S. Department of Justice, Office of Community Oriented Policing Services (COPS). Mr. Chavez did the planning, preparing and coordinating of various law enforcement agencies to conduct a technological review of the grant projects and arranged for the financial review of the grant. Ms. Anderson did thorough planning and preparation in advance of the site, and both Dave and Valerie helped in making the site visit successful.
<b>Banez, Joselito</b>	Officer Banez received a letter of commendation for his heroic actions and his quick response to an athlete who was experiencing a cardiac arrest while playing basketball. Officer Banez initiated CPR while waiting arrival of the Seattle Fire Department.
<b>Bogucki, Kim Diaz, Adrian</b>	Officer Diaz and Detective Bogucki, assigned to the Community Outreach Program, received a letter of thanks from the U.S. Department of Justice, Office of Community Oriented Policing Services (COPS), for their assistance with the community policing interviews. They both provided valuable insight to various operations of the Seattle Police Department, and their professionalism helped to make the sight visit very successful.
<b>Brakebill Jr, James Crooks, Danni Jongma, Michael Miller, Michael Murray, George Nygard, Larry Robinson, Randall</b>	Sergeant Nygard and several other Traffic Enforcement Officers, along with Parking Enforcement Officers Miller and Murray, received a commendation for their assistance with traffic control during the Hydroplane Races and Blue Angels performances during this year's Seafair event. The officers were not only professional and effective in their duties, but went beyond the expectation by making themselves available for questions from attendees.
<b>Cruise, Alan Vallor, Robert</b>	Sergeant Vallor and Detective Cruise received a letter of commendation for their presentation given in a Pretrial Advocacy Class held at the Seattle University. Their presentation was very well received and provided a valuable lesson for the students to see the professionalism these men bring to the challenge of investigating homicides.
<b>Haag, Devlin</b>	Officer Haag received a letter of commendation for his timely intervention and efforts with a tenant who was scaring a landlord and his family. Officer Haag provided the landlord's household with a sense of comfort and compassion along with coaching on how to proceed in the event there were further difficulties with the troublesome renter.

<b>Hadley, Joe</b>	Officer Hadley received a commendation from a citizen who did a ride-a-long. The citizen was very impressed with the level of patience and common sense given by Officer Hadley to a family who had had bicycles stolen. Also, the citizen was amazed with the amount of paperwork required to complete a stolen purse report and the complexity involved in a drowning incident.
<b>Kraus, Brian</b>	Sergeant Krause received a letter of commendation for his confident commanding, but polite and personal kindness, shown at the Key Arena when Senator Obama was visiting. The crowd gathered needed to move away from the door and Sergeant Krause's words, coupled with his respectful manner, demonstrated an exemplary picture of a police officer as he requested the crowd to move back.
<b>Letizia, Michele</b>	Officer Letizia received a letter of thanks for the assistance provided a citizen who needed help filling out a report and with a fence issue.
<b>Long, Ryan Ogard, David Vanbrunt, Bryan</b>	Sergeant-Detective Long and Detectives Ogard and Van Brunt received a letter of commendation for the countless hours, commitment, and passion on a case where their work returned a daughter who was a "missing person." The Detectives aggressively pursued this case until they found and arrested the man who altered the lives of the family involved.
<b>Paquette Jr, John</b>	A letter of commendation was sent to Officer Paquette for his help and compassion during a citizen's loss when his father passed away. Officer Paquette showed kindness, and support, and helped with the matters that were required. Officer Paquette also helped the citizen through the arrangements to get the body removed and explained necessary next steps. Officer Paquette made a difficult time considerable less so by his compassion and understanding.
<b>Sano, Eric</b>	Lt. Sano received a commendation from a citizen who did a ride-a-long. The citizen was very impressed with the courtesy and extra effort made to make her ride-along enjoyable and informative.
<b>Schenck, Scott</b>	Officer Schenck received a letter of commendation from a citizen for his quick response to a stolen vehicle 911 call. The citizen experience from the time he called 911 until Officer Schenck left the crime scene was excellent. The citizen feels Officer Schenck is an excellent officer of the law. Officer Schenck responded in a timely manner, and conducted himself professionally and with genuine compassion. Officer Schenck was also very helpful in his responses to questions.
<b>Webster, Richard</b>	Officer Webster received a thank you letter for helping a civilian during a very difficult time. She was truly grateful for Officer Webster's belief in her and most of all for standing by her side in court.

## Sept 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
The complaint alleged that the employee abused his discretion when making an arrest and failed to have the arrest properly screened or documented. It also was alleged that the employee failed to safeguard the complainant's property.	<p>The evidence was insufficient to determine the actual basis for the decision to make the arrest. Neither position was supported by the preponderance of the evidence. Finding—NOT SUSTAINED</p> <p>Both the employee and the supervisory stated that the employee had the arrest screened properly, but that it wasn't correctly added to the report. This issue was determined to require additional training and was not considered misconduct. Finding—SUPERVISORY INTERVENTION</p> <p>The investigation determined that the complainant's property was not left unsecured as alleged. Finding--EXONERATED</p>
The complaint alleges that the named employee engaged in inappropriate behavior with a parking lot attendant over the payment of a lost parking stub.	The investigation revealed that the named employee had become frustrated and that he acknowledged that his behavior could have been perceived as "angry" or having "challenged" the parking attendant. Other alternatives were available to the employee for resolution that were not considered or exercised. Finding—SUPERVISORY INTERVENTION

### STANDARDS OF CONDUCT: HONESTY

Synopsis	Action Taken
The complaint alleged that the named employee, in the course of a non-work related civil litigation, testified to facts contrary to earlier statements.	The investigation determined that the discrepancy in the testimony appeared not to have been intentional, and resulted from the employee initially estimating information rather than being more precise as he was at trial. The specific allegation of dishonesty was neither proved nor disproved. Finding—NOT SUSTAINED

**VIOLATION OF LAW**

Synopsis	Action Taken
It was alleged that the named employee committed a DV related violation and also violated an existing no contact order. It is further alleged that the named employee made statements during the investigation that were not accurate.	<p>The preponderance of the evidence indicated that the assault had occurred as reported. Finding—Violation of Law—SUSTAINED</p> <p>Further, the employee was aware of the existence and terms of the no contact order and violated the conditions. Finding—Violation of Law—SUSTAINED</p> <p>The investigation determined that the employee had not provided complete, truthful and accurate answers to questions while being interviewed. Finding—Professionalism—Honesty--SUSTAINED</p>
The allegation stated that an SPD Dispatcher, while off-duty, contacted a 16-year-old male at a grocery store, took him home where she provided alcohol and engaged in consensual sex.	The investigation determined that the named employee engaged in the misconduct as alleged. Further, the employee had knowledge that the juvenile was a runaway and failed to promptly notify authorities. Finding--SUSTAINED

**UNNECESSARY FORCE**

Synopsis	Action Taken
The complainant alleged that the force used during his arrest was excessive causing him injury, dizziness, a sense of fear, and bad dreams and to hear voices.	The evidence indicated that the complainant's behavior escalated the encounter and that the force used was appropriate, necessary and justified. Finding—ADMINISTRATIVELY UNFOUNDED
The complainant alleged that the named employees used unnecessary force and subsequently released him without a report being generated or the incident being screened by a supervisor.	<p>The evidence indicated that there was a question as to whether the employees lacked sufficient reasonable suspicion to justify the stop of the complainant. If the stop lacked reasonable suspicion, the resulting force used during the stop would be considered unnecessary. Training and counseling is appropriate in light of the difficult decision making involved. Finding—Force—SUPERVISORY INTERVENTION and Policy Violation—SUPERVISORY INTERVENTION</p> <p>It was also determined that it would have been appropriate to initiate a report under the circumstances. Finding--SUSTAINED</p>
The complaint alleges that the named employee used excessive force during a contact and that the language used was inappropriate and unprofessional.	A preponderance of the evidence established that the misconduct did not occur as alleged. The allegations were not supported or corroborated by any of the other evidence. Finding--UNFOUNDED

**PROFESSIONALISM: VIOLATION OF RULES**

Synopsis	Action Taken
The complainant alleged that the named employee stopped him without probable cause and detained him for an unreasonable amount of time.	The investigation determined that the employee had reasonable suspicion on which to base the stop. Further, the records indicated that the detention was not unreasonable. Counseling and training for the employee was deemed appropriate. Finding—SUPERVISORY INTERVENTION

**EVIDENCE & PROPERTY**

Synopsis	Action Taken
The complainant advised that his driver's license was not returned to him after having been issued a citation at the scene of a collision.	The investigation determined that the license had not been returned to the driver prior to him being evacuated by ambulance from the scene. The employees attempted to mail the license back to the complainant who never received it. Training for the employee as to how to return property in such a situation was appropriate. Finding—SUPERVISORY INTERVENTION

**Sept Cases Mediated:**

The complaint alleged that after being cited for driving infractions, the employee left the area also committing multiple infractions.

**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.

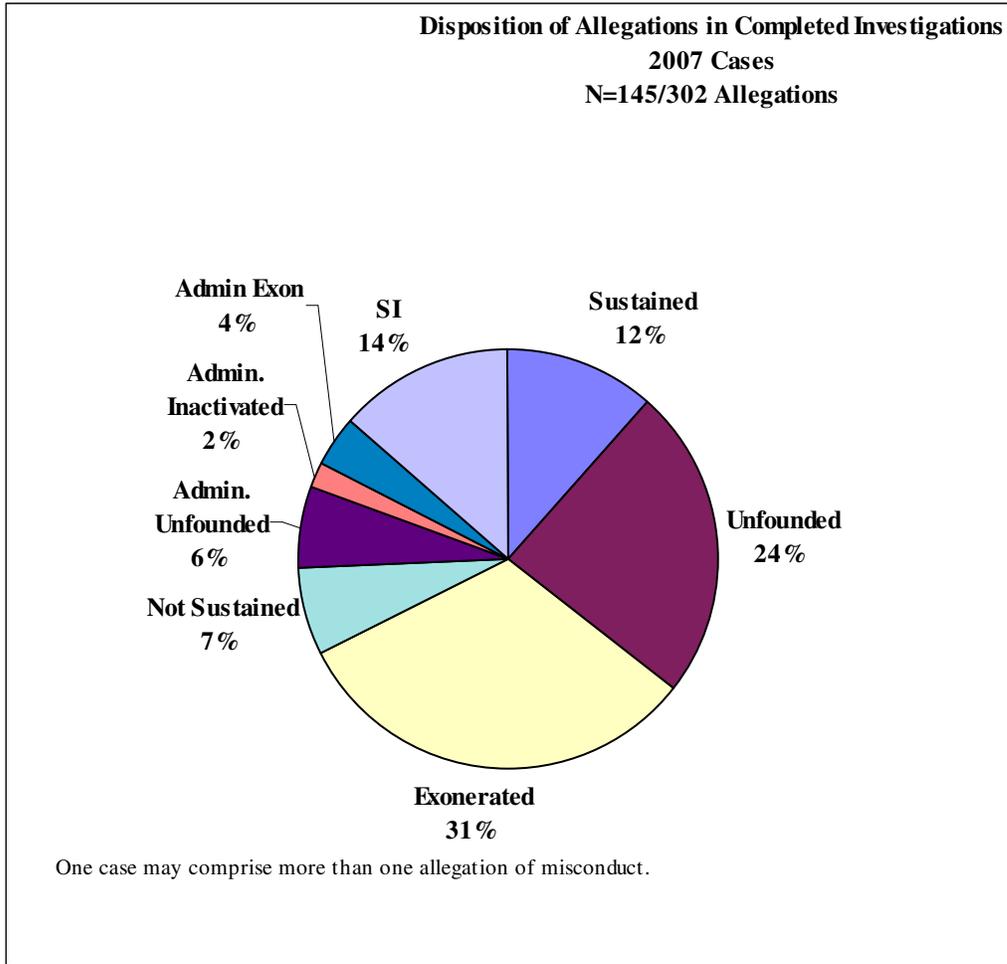
**“Administratively Unfounded/Exonerated”** is a discretionary finding which may be made prior to the completion that the complaint was determined to be significantly flawed procedurally or legally; or without merit, i.e., complaint is false or subject recants allegations, preliminary investigation reveals 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	25	9	8	1	3	15	23	55	59
8/16-9/15	27	17	14	6	1	2	14	14	56	39
9/16-10/15	16	15	10	7	0	2	13	8	39	32
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	189	97	51	14	15	152	111	579	366

2007 Cases Closed to Date



2008 Cases Closed to Date

