



## OFFICE OF PROFESSIONAL ACCOUNTABILITY

### Closed Case Summary

Complaint Number OPA#2015-0990

Issued Date: 12/31/2015

Named Employee #1	
Allegation #1	<u>Seattle Police Department Manual</u> 5.140 (2) Bias-Free Policing Officers Will Not Engage in Bias-Based Policing (Policy that was issued 01/01/15)
OPA Finding	<b>Not Sustained</b> (Unfounded)
Allegation #2	<u>Seattle Police Department Manual</u> 8.300 (1) Officers Shall Report All Uses of Force Except De Minimis Force (Policy that was issued 01/01/14)
OPA Finding	<b>Not Sustained</b> (Unfounded)
Final Discipline	N/A

#### **INCIDENT SYNOPSIS**

Officers were dispatched to a robbery call where the victim had his wallet, watch, money and cell phone taken after being assaulted by three suspects, one armed with a knife and another was armed with brass knuckles. The victim was able to provide a description of the suspects and was able to point out one of the suspects to officers. The named employee was conducting an area check when he saw two individuals, one of whom matched the description of the robbery suspect. The named employee stopped the individuals. An on scene identification was conducted and the victim was able to identify one of the males as the robbery suspect. The other male, the complainant, was released from the scene. The arrestee made comments that he felt they were stopped due to racial bias. A supervisor responded to the scene and completed a preliminary investigation into the bias policing complaint.

## **COMPLAINT**

The complainant alleged that the named employee engaged in biased policing and that he unnecessarily pointed his gun at the complainant.

## **INVESTIGATION**

The OPA investigation included the following actions:

1. Interview of the complainant
2. Search for and review of all relevant records and other evidence
3. Review of In-Car Videos (ICV)
4. Interviews of SPD employees

## **ANALYSIS AND CONCLUSION**

The OPA investigation included a detailed review of all the available information including In-Car Video (ICV). There was no evidence that the named employee initiated the stop of the two males in this case in violation of department policy. The contact with the two males was captured on ICV. There is no indication that the named employee or any other officers on scene had their firearm(s) out of their holster(s).

## **FINDINGS**

### **Named Employee #1**

#### Allegation #1

The preponderance of evidence does not support the allegation of bias policing by the named employee. Therefore a finding of **Not Sustained** (Unfounded) was issued for *Bias-Free Policing Officers Will Not Engage in Bias-Based Policing*.

#### Allegation #2

There was no evidence that showed that the named employee failed to report the use of force. Therefore a finding of **Not Sustained** was issued for *Officers Shall Report All Uses of Force Except De Minimis Force*.

*NOTE: The Seattle Police Department Manual policies cited for the allegation(s) made for this OPA Investigation are policies that were in effect during the time of the incident. The issued date of the policy is listed.*