



CLOSED CASE SUMMARY

ISSUED DATE: OCTOBER 15, 2018

CASE NUMBER: 2018OPA-0362

Allegations of Misconduct & Director’s Findings

Named Employee #1

Allegation(s):		Director’s Findings
# 1	5.001 - Standards and Duties 2. Employees Must Adhere to Laws, City Policy and Department Policy	Not Sustained (Unfounded)

This Closed Case Summary (CCS) represents the opinion of the OPA Director regarding the misconduct alleged and therefore sections are written in the first person.

EXECUTIVE SUMMARY:

The Complainant alleged that Unknown SPD Employee raped him while he was in police custody.

ADMINISTRATIVE NOTE:

This case was designated as an Expedited Investigation. This means that OPA, with the OPA Auditor’s review and approval, believed that it could reach and issue recommended findings based solely on its intake investigation and without interviewing the Named Employee. As such, the Named Employee was not interviewed as part of this case.

ANALYSIS AND CONCLUSIONS:

Named Employee #1 - Allegation #1

5.001 - Standards and Duties 2. Employees Must Adhere to Laws, City Policy and Department Policy

The Complainant, who was arrested for felony assault, alleged he was raped by an Unknown SPD Employee while in police custody. He did not provide any details as to when or where this occurred, a description of his assailant, or specific information concerning what happened. SPD officers and supervisors attempted to speak with the Complainant concerning the basis for his arrest and regarding his allegations of misconduct; however, they recounted that he was hostile, rude, and uncooperative. This was corroborated by the Department video, which recorded virtually the entirety of the Complainant’s interactions with law enforcement. The Department video also reflected that the Complainant used multiple racial and homophobic slurs during his ongoing conversations with officers and supervisors. Lastly, the Department video conclusively disproved the Complainant’s allegation that he was raped by an unidentified officer.

SPD Policy 5.001-POL-2 requires that employees adhere to laws, City policy, and Department policy. If the Complainant’s allegations were true and a Department employee raped him, this conduct would constitute a violation of this policy. However, there is not a scintilla of evidence supporting the Complainant’s claim and, in fact, it is clear that this claim is frivolous based on the Department video. As such, I recommend that this allegation be Not Sustained – Unfounded.



Seattle
Office of Police
Accountability

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Recommended Finding: **Not Sustained (Unfounded)**