



OFFICE OF PROFESSIONAL ACCOUNTABILITY

Closed Case Summary

Complaint Number OPA#2015-1632

Issued Date: 05/16/2016

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	Not Sustained (Unfounded)
Final Discipline	N/A

Named Employee #2	
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	Not Sustained (Unfounded)
Final Discipline	N/A

Named Employee #3	
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	Not Sustained (Unfounded)
Final Discipline	N/A

INCIDENT SYNOPSIS

The complainant had been advised he had to leave private property and was still on the private property a week later. In the presence of the Named Employees, the property manager gave the complainant a warning to vacate the property immediately. Named Employee #2 had worked with a homeless advocate to assist the complainant in moving. The next day Named Employee #2 observed that the complainant was still on the property and he advised the complainant that he needed to vacate the property. Name Employee #2 returned a few hours later. The complainant had not made any attempts to move. The complainant was arrested for Criminal Trespass.

COMPLAINT

The complainant alleged that the Named Employees only arrested him for trespassing because he is homeless.

INVESTIGATION

The OPA investigation included the following actions:

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

ANALYSIS AND CONCLUSION

The OPA investigation carefully reviewed all of the documentation and available In-Car Videos (ICV) for these events. Each of the Named Employees was interviewed. A preponderance of the evidence in this case supported the finding that the allegation of Bias Policing did not occur. The accepted practice for enforcement of criminal trespass complaints of this nature were followed for these events.

FINDINGS

Named Employee #1, #2 and #3

Allegation #1

A preponderance of the evidence in this case supported that the allegation of Bias Policing did not occur. Therefore a finding of **Not Sustained** (Unfounded) was issued for *Bias Free Policing: Officers Will Not Engage in Bias-Based Policing*.

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.