



OFFICE OF PROFESSIONAL ACCOUNTABILITY

Closed Case Summary

Complaint Number OPA#2016-0620

Issued Date: 02/16/2017

Named Employee #1	
Allegation #1	<u>Seattle Police Department Manual</u> 5.001 (2) Standards and Duties: Employees Must Adhere to Laws, City Policy and Department Policy (Policy that was issued April 1, 2015)
OPA Finding	Not Sustained (Inconclusive)
Final Discipline	N/A

INCIDENT SYNOPSIS

A homeless individual's tent was destroyed.

COMPLAINT

The complainant alleged that he saw the Named Employee cut up the tent of a homeless man, rendering it useless.

INVESTIGATION

The OPA investigation included the following actions:

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

ANALYSIS AND CONCLUSION

The Named Employee told OPA he was assigned to assist the Seattle Department of Transportation (SDOT) with their removal of tents from the sidewalk by either prompting occupants to move the tents or preparing unoccupied tents for removal by SDOT. Part of this process involved collapsing the tents so SDOT would know the tents were ready to be taken away. The Named Employee denied ever cutting any tents. He said he merely removed poles and other equipment that kept the tents up so they could be collapsed and removed. The Named Employee also did not drive a SPD van as reported by the complainant, but a different type of vehicle. The van identified by the complainant was being operated by SPD bicycle officers. The complainant told OPA he saw the Named Employee (who he identified through online photos) cut up a tent, but was not able to provide OPA with a photograph or video of the Named Employee cutting the tent. Similarly, neither the criminal nor the OPA investigations were able to locate video evidence to either confirm or refute the allegation. The OPA investigation was unable to produce a preponderance of evidence to either prove or disprove the complainant's allegation.

FINDINGS

Named Employee #1

Allegation #1

OPA was unable to find a preponderance of evidence to either support or refute the allegations. Therefore a finding of **Not Sustained** (Inconclusive) was issued for *Standards and Duties: Employees Must Adhere to Laws, City Policy and Department Policy*.

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.