



OFFICE OF PROFESSIONAL ACCOUNTABILITY

Closed Case Summary

Complaint Number OPA#2016-1186

Issued Date: 04/27/2017

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 August 1, 2015)
OPA Finding	Not Sustained (Unfounded)
Allegation #2	<u>Seattle Police Department Manual</u> 5.001 (5) Standards and Duties: Employees May Use Discretion (Policy that was issued April 1, 2015)
OPA Finding	Not Sustained (Lawful and Proper)
Final Discipline	N/A

INCIDENT SYNOPSIS

The Named Employee issued a ticket to the complainant.

COMPLAINT

The complainant alleged the Named Employee was rude and threatened to "keep coming back especially for you," issued tickets in a targeted manner, and treated the complainant differently because of his race.

INVESTIGATION

The OPA investigation included the following actions:

1. Review of the complaint
2. Search for and review of all relevant records and other evidence
3. Interviews of SPD employees

ANALYSIS AND CONCLUSION

Other than the complainant's speculation that the Named Employee may have targeted the complainant due to bias based on race and/or national origin, no evidence was found in this investigation to support the allegation. In addition, the Named Employee's actions in identifying and ticketing a vehicle using a commercial load zone without the proper permit is consistent with his work assignment and the expectations of his supervisor. This was consistent with an appropriate and permissible use of the Named Employee's discretion.

FINDINGS

Named Employee #1

Allegation #1

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

Allegation #2

A preponderance of the evidence showed that this was consistent with an appropriate and permissible use of the Named Employee's discretion. Therefore a finding of **Not Sustained** (Lawful and Proper) was issued for *Standards and Duties: Employees May Use Discretion*.

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.