



CLOSED CASE SUMMARY

ISSUED DATE: FEBRUARY 26, 2019

CASE NUMBER: 2018OPA-1020

Allegations of Misconduct & Director’s Findings

Named Employee #1

Allegation(s):		Director’s Findings
# 1	5.140 - Bias-Free Policing 2. Officers Will Not Engage in Bias-Based Policing	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 the Named Employee engaged in biased policing when he cited the Complainant’s parked vehicle.

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

5.140 - Bias-Free Policing 2. Officers Will Not Engage in Bias-Based Policing

The Complainant received a parking ticket for his vehicle. He then initiated this OPA complaint, in which he alleged that Named Employee #1 (NE#1), the Parking Enforcement Officer who cited his vehicle, targeted his vehicle but did not write tickets to other vehicles that were parked nearby. The Complainant contended that NE#1 only ticketed vehicles that appeared to be owned by “poor people.” The Complainant alleged that this constituted biased policing on NE#1’s part.

OPA’s investigation including pulling all of the citations that NE#1 issued on the date in question. This review indicated that NE#1 ticketed a wide spectrum of vehicles, ranging from the Complainant’s vehicle to BMWs. There was no evidence supporting the claim that NE#1 targeted vehicles that appeared to belong to people at a lower socioeconomic status.

SPD policy prohibits biased policing, which it defines as “the different treatment of any person by officers motivated by any characteristic of protected classes under state, federal, and local laws as well other discernible personal characteristics of an individual.” (SPD Policy 5.140.) This includes different treatment based on the race of the subject. (See id.)



As discussed above, there is insufficient evidence to establish that NE#1 engaged in biased policing. Indeed, the evidence suggests the opposite – that NE#1 cited vehicles no matter what the made or model. Accordingly, I recommend that this allegation be Not Sustained – Unfounded.

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