



OFFICE OF PROFESSIONAL ACCOUNTABILITY

Closed Case Summary

Complaint Number OPA#2014-0697

Issued Date: 05/11/2015

Named Employee #1	
Allegation #1	<u>Seattle Police Department Manual</u> 8.100 (I) Using Force: When Authorized (Policy that was issued 01/01/14)
OPA Finding	Not Sustained (Inconclusive)
Allegation #2	<u>Seattle Police Department Manual</u> 5.001 (9) Professionalism (Policy that was issued 07/16/14)
OPA Finding	Not Sustained (Training Referral)
Final Discipline	N/A

INCIDENT SYNOPSIS

The named employee pulled over the complainant for a traffic infraction. The complainant did not understand why she was pulled over and attempted to leave the vehicle to ask the named employee why she was stopped. The named employee ordered her to stay in her vehicle. When the complainant did not shut her car door, the named employee closed it. The complainant left and moments later committed the same traffic infraction. The named employee pulled over the complainant and issued a second citation.

COMPLAINT

The complainant alleged the named employee was rude during two traffic stops. It is further alleged that the named employee impacted her leg when he closed her car door.

INVESTIGATION

The OPA investigation included the following actions:

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

ANALYSIS AND CONCLUSION

The evidence suggested that the incident was contentious. The complainant described the named employee as “rude”, “unprofessional,” and “intimidating.” The named employee described the complainant as “belligerent,” using profanity and refusing to obey his orders to close her door. The decision by the named employee to close the car door appears reasonable. For safety reasons, persons stopped for traffic infractions are generally told to stay in their vehicle. The complainant refused to close her door after being asked to multiple times, indicating to the named employee that she was non-compliant. The evidence suggests that the complainant’s body was inside the vehicle when the door was closed but that her leg may have been impacted by the interior of the door when it was closed. Without audio of the initial stop, it is impossible to know how the contact started and why it became so acrimonious.

FINDINGS

Named Employee #1

Allegation #1

There is insufficient evidence to demonstrate that the force used by the named employee in closing the door was in violation of department policy. Therefore a finding of **Not Sustained** (Inconclusive) was issued for *Using Force: When Authorized*.

Allegation #2

A finding of **Not Sustained** (Training Referral) was issued for *Professionalism*. Some of the facts in this case indicate that the named employee could benefit from some coaching and/or training on how to interact with the public with a greater focus on service, when reasonable and safe to do so. It is recommended that the named employee’s supervisor spend some time observing how the named employee interacts with motorists when conducting traffic enforcement to determine the most effective way to improve the named employee’s skill in this area.

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.