



OFFICE OF PROFESSIONAL ACCOUNTABILITY

Closed Case Summary

Complaint Number OPA#2014-0746

Issued Date: 05/27/2015

Named Employee #1	
Allegation #1	<u>Seattle Police Department Manual</u> 5.001 (III.A.1) Adherence to Law (Policy that was issued 03/09/2012)
OPA Finding	Not Sustained (Lawful & Proper)
Allegation #2	<u>Seattle Police Department Manual</u> 13.030 Emergency Vehicle Operations (Policy that was issued 08/13/2003)
OPA Finding	Not Sustained (Training – Already Completed)
Final Discipline	N/A

INCIDENT SYNOPSIS

The named employee was involved in a collision in 2012 while in uniform, operating a marked patrol vehicle that had overhead lights activated. In an effort to follow a traffic violator vehicle the named employee made a left turn and did not yield to another vehicle. The incident came to the attention of OPA when the driver of the other vehicle filed a lawsuit against the city.

COMPLAINT

It was alleged that the named employee committed a traffic infraction and operated his police vehicle in an unsafe manner when he turned left in front of an on-coming vehicle that did not have room to stop.

INVESTIGATION

The OPA investigation included the following actions:

1. Review of the complaint email
2. Review of the filed lawsuit
3. Search for and review of all relevant records and other evidence

ANALYSIS AND CONCLUSION

The Collision Review Board in 2012 determined that the named employee's driving resulted in a preventable collision. A lawsuit was filed regarding this incident in November 2014. This collision and the named employee's driving were fully reviewed and adjudicated by the SPD process in place at the time (2012). As evidenced by the Emergency Vehicle Operations Course (EVOC) and EVOC Instructor training completed by the named employee in 2013, he and SPD clearly recognized and addressed any driving-related misconduct associated with this collision. In addition, there is no record of subsequent problems with the named employee's driving.

FINDINGS

Named Employee #1

Allegation #1

The evidence supports that the named employee was lawfully attempting to enforce traffic laws when he attempted to stop a violating vehicle and collided with the complainant's vehicle. Therefore a finding of **Not Sustained** (Lawful & Proper) was issued for *Adherence to Law*.

Allegation #2

The evidence showed that the named employee received the required training and there is no record of subsequent problems with the named employee's driving. Therefore a finding of **Not Sustained** (Training – Already Completed) was issued for *Emergency Vehicle Operations*.

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.