



OFFICE OF PROFESSIONAL ACCOUNTABILITY

Closed Case Summary

Complaint Number OPA#2016-0187

Issued Date: 09/07/2016

Named Employee #1	
Allegation #1	<u>Seattle Police Department Manual</u> 5.002 (2) Responsibilities of Employees Concerning Complaints of Possible Misconduct: Employees Will Assist Anyone Who Wishes to File a Complaint (Policy that was issued 01/01/2015)
OPA Finding	Sustained
Final Discipline	Written Reprimand

INCIDENT SYNOPSIS

The Named Employee spoke to the complainant by telephone regarding an incident that had occurred.

COMPLAINT

The complainant reported that she made complaints to the Named Employee regarding an incident and alleged the Named Employee was dismissive of her and told her that she could contact OPA if she was not happy. The Named Employee reportedly did not inform her how she could contact OPA or initiate a complaint on her behalf.

INVESTIGATION

The OPA investigation included the following actions:

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

ANALYSIS AND CONCLUSION

The complainant alleged that the Named Employee, a sworn SPD supervisor, failed to either resolve the complaint she brought to his attention or see that it was referred to OPA to be handled. The complainant contacted the Named Employee by telephone and complained about how officers from the Seattle Police Department (SPD) failed to assist her and others. The complainant alleged that she told the Named Employee that, in spite of following the directions given to her by SPD detectives to call for police assistance one hour before meeting with someone selling the complainant's stolen property on-line, SPD officers failed to show up until after the suspect made contact and pulled a gun on the complainant and those with her. The complainant also alleged she told the Named Employee that the dispatchers lied to her and others about whether or not officers had been dispatched to assist them. Finally, the complainant alleged that she complained to the Named Employee that a lone SPD officer in a patrol car who her party flagged down when he (the officer) happened to drive by them refused to assist them even after they told the officer they needed police assistance urgently because they were about to meet with a person selling their stolen items on-line. The complainant alleged that the Named Employee told her that she should contact OPA if she wanted to do anything more with her complaint than speak with him (the Named Employee). The Named Employee told OPA that the complainant was not certain she wanted to follow up with OPA and said she would think about it for a few days. There is no doubt that the Named Employee did not complete a Blue Team complaint to OPA or take any other step to forward the complainant's allegations to OPA. The Named Employee told OPA he did not see any potential misconduct in what the complainant had alleged and so saw no obligation to forward the matter to OPA. The complainant told OPA she was frustrated and dissatisfied with the Named Employee's response to her contact with him and expected him to either resolve the matter to her satisfaction or send it to OPA. The preponderance of the evidence shows that the complainant complained to the Named Employee that a detective told them to take actions that endangered their safety, an officer had failed to take action when told that a burglary victim was about to meet with a person selling the stolen property and that Dispatch may have failed to provide the complainant and her party with accurate information which led to them being placed in a dangerous situation. The same preponderance of evidence shows that the Named Employee failed to either pass on the complainant to OPA or a supervisor or provide the complainant with specific information on where and how to file her complaint as required by SPD Policy §5.002(2).

FINDINGS

Named Employee #1

Allegation #1

The preponderance of the evidence shows that the Named Employee failed to either pass on the complainant to OPA or a supervisor or provide the complainant with specific information on where and how to file her complaint as required by SPD Policy. Therefore a **Sustained** finding was issued for *Responsibilities of Employees Concerning Complaints of Possible Misconduct: Employees Will Assist Anyone Who Wishes to File a Complaint.*

Discipline imposed: Written Reprimand

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.