



SEATTLE  
POLICE  
DEPARTMENT

Investigation Section  
Office of Professional Accountability  
**CASE SUMMARY**

Present Date: 11-3-10  
OPA-IS File Number: 10-0385  
Date of Incident: 3-11-10  
Location of Incident: Boylston & E. Pine

Subject:  
Name: [REDACTED] and [REDACTED]

Complainant:  
Name: [REDACTED]

Named Employee(s):

#1	#2
NAME: [REDACTED]	NAME: Schoenberg, Brett
SERIAL: [REDACTED]	SERIAL: 7429
UNIT: 663	UNIT: 663
#3	#4
NAME: Williams, Corey	NAME: Steiger, Casey
SERIAL: 7472	SERIAL: 7503
UNIT: 663	UNIT: 663

Allegation (Employee #1) [REDACTED]

Allegation (Employee #2) 5.001 Professionalism – Profanity  
[REDACTED]

**SEATTLE POLICE DEPARTMENT MEMORANDUM**

TO Lieutenant Mark Kuehn  
Office of Professional Accountability—Investigation Section

FROM Kathryn Olson, Director <sup>K.O.</sup>  
Office of Professional Accountability

DATE April 7, 2011

SUBJECT CERTIFICATION OF COMPLETION AND OPA DISPOSITION

I have reviewed the following OPA-IS investigation, the proposed disposition of the Investigation Section, and the comments and input of the command staff:

OPA-IS Case Number: IS 10-0385  
180-Day Expiration Date (SPOG): 02/22/11

**Named Employee 1:**  
Allegation #1: [REDACTED]  
Allegation #2: [REDACTED]

**Named Employee 2:**  
Allegation #1: Schoenberg, Brett L. #7429  
Professionalism-Profanity  
Allegation #2: [REDACTED]

**Named Employee 3:**  
Allegation #1: Steiger, Casey A. #7503  
Professionalism-Profanity  
Allegation #2: [REDACTED]  
Allegation #3: [REDACTED]

**Named Employee 4:**  
Allegation #1: Williams, Corey W. #7472  
Professionalism-Profanity  
Allegation #2: [REDACTED]

Proposed OPA-IS Disposition:

**Named Employee 1:**  
Allegation #1: [REDACTED]  
Allegation #2: [REDACTED]

**Named Employee 2:**  
Allegation #1: Schoenberg, Brett L. #7429  
Professionalism-Profanity—Sustained  
Allegation #2: [REDACTED]

**Named Employee 3:**  
Allegation #1: Steiger, Casey A. #7503  
Professionalism-Profanity—Supervisory Intervention  
Allegation #2: [REDACTED]  
Allegation #3: [REDACTED]

**Named Employee 4:**  
Allegation #1: Williams, Corey W. #7472  
Professionalism-Profanity—Sustained  
Allegation #2: [REDACTED]

SPD IIS  
2011 APR 19 PM 1:13

JK



SEATTLE  
POLICE  
DEPARTMENT

**OPA INVESTIGATION SECTION**  
Office of Professional Accountability  
**FOLLOW-UP FORM**

IIS OPA-IS INVESTIGATOR: <b>Sgt. Woolery 5286</b>		DATE: <b>9/7/2010</b>	CASE IIS #: OPA-IS File No. <b>10-385</b>
E N T R Y	<u>COMMENCE EACH ENTRY WITH A NUMBER AND THE DATE AND TIME</u>		

1 9-7-10 / 0800 hrs I received this case for review and follow-up. I had made phone contact with Public Defender [REDACTED] and arranged to meet the subject at OPA-IS on 9-8-10 @ 1530 hrs for an interview.

2 9-8-10 / 1600 hrs Phone call from [REDACTED] that she was delayed in court and the subject did not know where to go for our meeting. [REDACTED] did a 3-way conference call and I spoke with the subject and we arranged to interview on 9-13-10 @ 1530 hrs.

3 9-13-10 / 1545 hrs In-person interview of Subject [REDACTED] Statement sent in for transcription.

4 9-13-10 / 1610 hrs In-person interview of Subject [REDACTED] Statement sent in for transcription.

5 9-21-10 / 1300 hrs Based on the subject's statement, [REDACTED] added to Ofc. Steiger.

6 9-27-10 / I sent emails to the named employees checking their interview availability.

7 9-30-10 / I sent in-person interview notifications, along with a copy of Garrity and the allegation, as follows:

10-11-10 @ 2000 hrs Ofc. Williams

10-18-10 @ 2000 hrs Ofc. Schoenberg

10-18-10 @ 200 hrs Ofc. Steiger

10-25-10 @ 2000 hrs [REDACTED]

8 10-11-10 / 2000 hrs In-person interview of Ofc. Williams. Statement sent in for transcription.

9 10-18-10 / 1945 hrs In-person interview of Ofc. Schoenberg. Statement sent in for transcription.

Approved by:

Lt. *M. J. [Signature]*

Date: 01-24-11

Capt.

Date:



# FOLLOW-UP CONTINUATION FORM

CASE IIS #: 10-385
IIS INVESTIGATOR: Sgt. Woolery 5286

- 10 10-18-10 / 2015 hrs In-person interview of Ofc. Steiger. Statement sent in for transcription.
- 11 10-25-10 / 2020 hrs In-person interview of [REDACTED] Statement sent in for transcription.
- 12 11-2-10 / 0900 hrs I prepared this case and submitted it for review.

Approved by:

Lt.

Date:

01-24-11

Capt.

Date:

**Index of Exhibits:**

- A) CAD Call History 2010-80403
- B) GO 2010-80403
- C) Vehicle Impound Report
- D) Statement of [REDACTED]
- E) Statement of [REDACTED]
- F) Statement of Ofc. Schoenberg
- G) Statement of [REDACTED]
- H) Statement of Ofc. Steiger
- I) Statement of Ofc. Williams
- J) Legal Bulletin LB 09-009 + 003
- K) Legal Bulletin LB 10-002
- L) DP&P 6.180 – Searches
- M) DP&P 5.001 – Standards and Duties
- N) DP&P 6.240 – Use of Force
- O) DP&P 6.120 – Impounding Vehicles
- P) ICV

A

SEATTLE POLICE DEPARTMENT  
CAD CALL HARDCOPY

CP 2010-80403

Reported: Mar-11-2010 01:55:02

**Incident Location**

Address : BOYLSTON AV / E PINE ST  
District : E Beat : E2 Grid : 4114

**General Information**

Report number: 2010-80403  
Case Type : TRAFFIC STOP - OFFICER INITIATED ONVIEW Priority : 7  
TIME - Disp : 01:55:03 Enroute : 01:55:03 At Scene : 01:55:03 Cleared : 04:22:50  
How call received : ONVIEW  
Unit ids : #1 - 3E24 #2 - 3C24  
Call taker ID : 6142 OVERBEY, STEPHEN G

**Complainant Information**

State : WA  
Remarks :  
Mar-11-2010 01:55:02 - 519XQN.WA

**Clearance Information**

Final Case type : -TRAFFIC - MOVING VIOLATION  
Report expected : YES Founded : YES  
Cleared by : PHYSICAL ARREST MADE  
Reporting Officer1 : 7472 - WILLIAMS, COREY M  
Reporting Officer2 : 7429 - SCHOENBERG, BRETT L

**Dispatch Details**

Unit number : 3C24 Dispatched: Mar-11-2010 01:56:31  
Officer 1 : XXXXXXXXXX  
Enroute: Mar-11-2010 01:56:31  
On the scene: Mar-11-2010 01:57:30  
Cleared: Mar-11-2010 03:25:35  
Dispatcher ID : 6142

Unit number : 3E21 Dispatched: Mar-11-2010 01:55:03  
Officer 1 : 7472 - WILLIAMS, COREY M  
Officer 2 : 7429 - SCHOENBERG, BRETT L  
Enroute: Mar-11-2010 01:55:03  
On the scene: Mar-11-2010 01:55:03  
Cleared: Mar-11-2010 04:22:50  
Dispatcher ID : 6142

Unit number : 3E24 Dispatched: Mar-11-2010 01:56:30  
Officer 1 : 7503 - STEIGER, CASEY ALAN  
Enroute: Mar-11-2010 01:56:30

SEATTLE POLICE DEPARTMENT  
CAD CALL HARDCOPY

CP 2010-80403

Reported: Mar-11-2010 01:55:02

On the scene: Mar-11-2010 02:28:01  
Cleared: Mar-11-2010 03:21:45  
Dispatcher ID : 6142

Dispatched: Mar-11-2010 02:17:49  
Special service : TOW REQUEST (CITY)  
Dispatcher ID : 6518

SEATTLE POLICE DEPARTMENT  
CAD CALL HARDCOPY

CP 2010-80403

Reported: Mar-11-2010 01:55:02

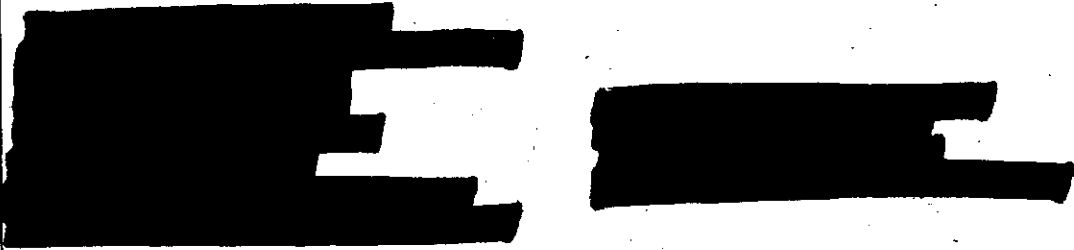
Related text page(s)

Author: 3E21 -

Subject: DOLDBA03RSRRD8.L..WASPD20D8.LI

Related date/time: Mar-11-2010 0158

DOLDBA03RSRRD8.L..WASPD20D8.LIC/519XQN



SEATTLE POLICE DEPARTMENT  
CAD CALL HARDCOPY

CP 2010-80403

Reported: Mar-11-2010 01:55:02

Author: 3E21 -

Subject: DOLDBA03RSRRD8.D ..WASPD20D8.O

Related date/time: Mar-11-2010 0158

DOLDBA03RSRRD8.D ..WASPD20D8.OLN/

[REDACTED]

[REDACTED]

SEATTLE POLICE DEPARTMENT  
CAD CALL HARDCOPY

CP 2010-80403

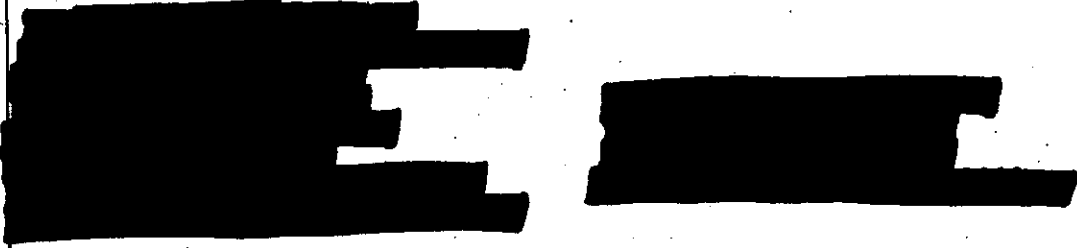
Reported: Mar-11-2010 01:55:02

Author: 3E21 -

Subject: DOLDBA03RSRRD8.L..WASPD20D8.LI

Related date/time: Mar-11-2010 0158

DOLDBA03RSRRD8.L..WASPD20D8.LIC/519XQN



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SEATTLE POLICE DEPARTMENT  
CAD CALL HARDCOPY

CP 2010-80403

Reported: Mar-11-2010 01:55:02

Author: 3E21 -

Subject: DOLDBA03RSRRD8.D ..WASPD20D8.O

Related date/time: Mar-11-2010 0158

DOLDBA03RSRRD8.D ..WASPD20D8.OLN/

[REDACTED]

[REDACTED]

SEATTLE POLICE DEPARTMENT  
CAD CALL HARDCOPY

CP 2010-80403

Reported: Mar-11-2010 01:55:02

Author: 3E21 -

Subject: WWCICA03SSRRD8.QW.WASPD20D8.NA

Related date/time: Mar-11-2010 0224

WWCICA03SSRRD8.QW.WASPD20D8.NAM/

[REDACTED]

SEATTLE POLICE DEPARTMENT  
CAD CALL HARDCOPY

CP 2010-80403

Reported: Mar-11-2010 01:55:02

Unit/Officer Details

02:00 Mar 11 3C24 7499 A :3C24 PT 7499  
EXT Q PERS-NAME: [REDACTED] G1 [REDACTED] G2 [REDACTED]  
DOB: [REDACTED] 88 STATE:WA REC:Y EXIN:Y EXTD:Y  
EXT1:Y CAD:Y EXTE:N EXT4:N EXTA:Y EXTL:N  
EXT2:N EXTW:N EXT6:N EXT7:N EXT5:N EXTC:N  
TONC:Y UNIT:3C24

02:00 Mar 11 3C24 7499 A :3C24 PT 7499  
RMS Q PERS-NAME: [REDACTED] G1 [REDACTED] G2 [REDACTED]  
DOB: [REDACTED] 88 STATE:WA REC:Y EXIN:Y EXTD:Y  
EXT1:Y CAD:Y EXTE:N EXT4:N EXTA:Y EXTL:N  
EXT2:N EXTW:N EXT6:N EXT7:N EXT5:N EXTC:N  
TONC:Y UNIT:3C24

02:23 Mar 11 ED 6142 A :3E21 PT 7472  
TRANSPORT COMPLETED:

02:23 Mar 11 ED 6142 A :3E21 PT 7429  
TRANSPORT COMPLETED:

02:23 Mar 11 ED 6142 A :3E21 PT 7472  
Sent to MDT: 3E21,Status changed to A by ED

01:56 Mar 11 ED 6142 A :3E21 PT 7472  
TIMER OFF 3E21

01:56 Mar 11 ED 6142 A :3E21 PT 7429  
TIMER OFF 3E21

01:56 Mar 11 ED 6142 A :3E21 PT 7472  
DELETED STACK TO 10-80399

01:57 Mar 11 ED 6142 A :3C24 PT 7499  
BOYLSTON AVE/E PIKE ST

01:57 Mar 11 ED 6142 A :3C24 PT 7499  
Sent to MDT: 3C24,Status changed to A by ED

SEATTLE POLICE DEPARTMENT  
CAD CALL HARDCOPY

CP 2010-80403

Reported: Mar-11-2010 01:55:02

03:21 Mar 11 ED 6142 IS:3E24 PT 7503  
04:22 Mar 11 ED 4985 IS:3E21 PT 7472  
04:22 Mar 11 ED 4985 IS:3E21 PT 7429  
01:55 Mar 11 ED 6142 A :3E21 PT 7472  
ATTACHED:3E21 DOLDBA0AZPD001.L..WASPD50A1.LIC/519X  
02:17 Mar 11 ED 6142 A :3E21 PT 7472  
TIMER OFF 3E21,ONE IN CUSTODY,UNDER CONTROL  
02:17 Mar 11 ED 6142 A :3E21 PT 7429  
TIMER OFF 3E21,ONE IN CUSTODY,UNDER CONTROL  
02:17 Mar 11 DB 6518  
(TW) TOW REQUEST (CITY): TW 3C24,3C24,OSB  
01:55 Mar 11 ED 6142 A :3E21 PT 7472  
BOYLSTON AV / E PINE ST 519XQN.WA  
01:55 Mar 11 ED 6142 A :3E21 PT 7429  
BOYLSTON AV / E PINE ST 519XQN.WA  
02:21 Mar 11 ED 6142 TR:3E21 PT 7472  
E/PCT W/ONE  
02:21 Mar 11 ED 6142 TR:3E21 PT 7429  
E/PCT W/ONE  
02:21 Mar 11 ED 6142 TR:3E21 PT 7472  
Sent to MDT: 3E21,Status changed to TR by ED  
03:24 Mar 11 ED 6142 A :3C24 PT 7499  
REMOVED HANDLED STATUS FOR 10-80348  
03:25 Mar 11 ED 6142 A :3C24 PT 7499  
REMOVED HANDLED STATUS FOR 10-80392  
03:25 Mar 11 ED 6142 IS:3C24 PT 7499  
01:56 Mar 11 ED 6142 A :3E21 PT 7472  
BOYLSTON AV/PIKE  
01:56 Mar 11 ED 6142 A :3E21 PT 7429  
BOYLSTON AV/PIKE  
01:56 Mar 11 ED 6142 E :3E24 PT 7503  
BOYLSTON AV/PIKE, BOYLSTON AV / E PINE ST  
01:56 Mar 11 ED 6142 E :3C24 PT 7499  
PIKE, BOYLSTON AV / E PINE ST

SEATTLE POLICE DEPARTMENT  
CAD CALL HARDCOPY

CP 2010-80403

Reported: Mar-11-2010 01:55:02

02:18 Mar 11 3C24 7499 A:3C24 PT 7499  
RMS Q VEH-LIC:519XQN STATE:WA REC:Y EXTN:Y  
CAD:Y EXTD:Y EXT9:Y EXTE:N EXT6:N EXTL:N  
EXT8:N EXTW:N EXT10:N EXT5:N EXT11:N EXT12:N  
EXTC:N TONC:Y UNIT:3C24

02:18 Mar 11 3C24 7499 A:3C24 PT 7499  
EXT Q VEH-LIC:519XQN STATE:WA REC:Y EXTN:Y  
CAD:Y EXTD:Y EXT9:Y EXTE:N EXT6:N EXTL:N  
EXT8:N EXTW:N EXT10:N EXT5:N EXT11:N EXT12:N  
EXTC:N TONC:Y UNIT:3C24

02:28 Mar 11 3E24 7503 A:3E24 PT 7503

01:57 Mar 11 3E21 7472 A:3E21 PT 7472  
EXT Q VEH-LIC:519XQN STATE:WA REC:Y EXTN:Y  
CAD:Y EXTD:Y EXT9:Y EXTE:N EXT6:N EXTL:N  
EXT8:N EXTW:N EXT10:N EXT5:N EXT11:N EXT12:N  
EXTC:N TONC:Y UNIT:3E21

01:57 Mar 11 3E21 7472 A:3E21 PT 7472  
RMS Q VEH-LIC:519XQN STATE:WA REC:Y EXTN:Y  
CAD:Y EXTD:Y EXT9:Y EXTE:N EXT6:N EXTL:N  
EXT8:N EXTW:N EXT10:N EXT5:N EXT11:N EXT12:N  
EXTC:N TONC:Y UNIT:3E21

01:58 Mar 11 3E21 7472 A:3E21 PT 7472  
EXT Q PERS-NAME:OREGON G1:MIGUEL G2:A  
DOB:03121986 STATE:WA REC:Y EXTN:Y EXTD:Y  
EXT1:Y CAD:Y EXTE:Y EXT4:N EXTA:N EXTL:N  
EXT2:N EXTW:N EXT6:N EXT7:N EXT5:N EXTC:N  
TONC:Y UNIT:3E21

01:58 Mar 11 3E21 7472 A:3E21 PT 7472  
RMS Q PERS-NAME:OREGON G1:MIGUEL G2:A  
DOB:03121986 STATE:WA REC:Y EXTN:Y EXTD:Y  
EXT1:Y CAD:Y EXTE:Y EXT4:N EXTA:N EXTL:N  
EXT2:N EXTW:N EXT6:N EXT7:N EXT5:N EXTC:N  
TONC:Y UNIT:3E21

02:02 Mar 11 ED 6142 A:3E21 PT 7472  
ADDED STACK TO 10-80343

\*\* END OF HARDCOPY \*\*



**Allegation (Employee #3) 5.001 Professionalism – Profanity**

[REDACTED]

**Allegation (Employee #4) 5.001 Professionalism – Profanity**

[REDACTED]

**Allegation Summary:** Based on a formal statement by Subject [REDACTED] an additional allegation of [REDACTED] added to named employee Steiger. The subject alleges his arm was wrenched behind his back and he was slammed against the patrol vehicle needlessly, causing pain but not injury.

The subject was stopped for a traffic violation and ultimately arrested and booked for a traffic crime. It is alleged that during the contact, the named employees were rude, unprofessional, and used profanity. It is further alleged the subject's vehicle was searched in violation of policy.

**Index of Exhibits:**

- A) CAD Call History 2010-80403
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- E) Statement of [REDACTED]
- F) Statement of Ofc. Schoenberg
- G) Statement of [REDACTED]
- H) Statement of Ofc. Steiger
- I) Statement of Ofc. Williams
- J) Legal Bulletin LB 09-003
- K) Legal Bulletin LB 10-002
- L) DP&P 6.180 – Searches
- M) DP&P 5.001 – Standards and Duties
- N) DP&P 6.240 – Use of Force
- O) DP&P 6.120 – Impounding Vehicles
- P) ICV



**Case Summary:**

On or about 8-26-10, OPA-IS received a complaint from Public Defender [REDACTED] of the Associated Counsel for the Accused. [REDACTED] complaint involved her clients and a traffic stop and arrest occurring on 3-11-10 in the area of Boylston & E. Pine Street.

The complaint centered on excessive and vulgar profanity captured by In-Car Video as well as vehicle search issues and a complaint of unnecessary force.

Subject [REDACTED] was interviewed in-person by OPA-IS and he gave the following statement: He was the driver of the stopped vehicle. He complained that officers approached with their guns drawn and pulled him out of his vehicle, slammed him on the hood of his vehicle and twisted his arm "real hard." [REDACTED] described the officers as being real rude and that they placed him in the back of their vehicle, unhandcuffed, and then asked if they could search his vehicle. He told them no to the search but they searched anyway. [REDACTED] also stated the searching officers ripped his leather seat covers but he has no proof of this.

During follow-up questions, [REDACTED] stated he drove for maybe a couple of blocks before he could find a place to pull over but he was not trying to elude the officers. When officers first approached he heard them tell his friend to "shut the fuck up or something." [REDACTED] admitted he had been drinking "a little bit."

[REDACTED] stated that after being pulled out of his vehicle he was not resisting when an officer pulled his right arm back causing pain but no injury. [REDACTED] stated most of the profanity, like the "skull fuck" comment, was directed towards his friend but the "sucking somebody's dick" comment might have been made towards him. [REDACTED] said he heard profanity during this incident and that the officers were disrespectful.

[REDACTED] was interviewed in-person by OPA-IS and he gave the following statement: He was the passenger in the vehicle driven by Mr. Oregon. [REDACTED] stated the officers had him get out of the vehicle and were using profanity and a "bunch of nonsense." [REDACTED] stated that [REDACTED] might have been "a little intoxicated" but he was not. [REDACTED] stated the officers first contacted him, the passenger, and asked for his name. [REDACTED] stated he told them they had no right to run his name and the officers thought he was getting smart with him. He stated the officers opened his door, twisted his arm and pulled him out of the vehicle.

[REDACTED] stated the officers were using profanity during this contact and one of them told him to suck their dick. [REDACTED] believes the comment about skull fucking was made



towards [REDACTED] [REDACTED] stated no one asked him if they could search the vehicle but he heard them ask [REDACTED] and [REDACTED] told them they could not search, but they searched anyway. [REDACTED] believes they used the release button to open the trunk.

[REDACTED] was interviewed in-person by OPA-IS and he gave the following statement: He did not make the original traffic stop and did not observe the violation. [REDACTED] responded as a backing officer and he made initial contact with the driver, along with Officer Williams. [REDACTED] stated the passenger and driver admitted to being MS-13 gang members and he knows this gang to be violent towards law enforcement. [REDACTED] stated he did not use profanity himself because that is not his style but he did hear profanity being used and thought that given the situation it was appropriate. [REDACTED] thought it was appropriate because the subjects were using profanity, threatening the officers and that speaking at the gang member's level is often the only way they will understand you and they believe you are weak if you don't talk to them this way.

[REDACTED] stated he entered the vehicle to retrieve a cell phone but he did not search the vehicle and located no evidence. He also stated he did look in the passenger's section to try and see what the passenger had been doing but he found nothing. [REDACTED] does not recall seeing or hearing about a possible bullet hole in the vehicle trunk.

Officer Schoenberg was interviewed in-person by OPA-IS and he gave the following statement: He was working with Officer Williams the night in question and he was driving. They stopped the subjects' vehicle for reckless driving and he made initial contact with the driver; Subject [REDACTED]. He believed, based on driving, the driver might be intoxicated but he was not able to determine this further. After running the subjects' names, he contacted the passenger because Officer Williams was along with him. Officer Schoenberg stated the passenger was being verbally resistant and at some point he made the "don't suck my dick" comment and at some point Officer Williams made the "skull fuck" comment. Officer Schoenberg stated the "don't suck my dick" comment is something that he has heard on the street before, used by gang members to mean, "don't suck up to me, don't play me like that." Officer Schoenberg believes that using profanity with gang members is a way of de-escalating the situation.

Officer Schoenberg does not remember whose decision it was to search the vehicle or why. From the ICV, he stated it was he who asked the driver if he could search the vehicle and he recalled that he was told that he did not have permission. Officer Schoenberg stated then that since the vehicle was being impounded the vehicle was searched, including the trunk. Officer Schoenberg then stated that the subject asked him to get his cellular phone and since he didn't know where it was, he searched the passenger side of the vehicle. Later in the interview, Officer Schoenberg stated there was a bullet hole in the vehicle trunk so the trunk was searched to see if there were any valuables inside or victims in the trunk. The possible bullet hole and examining of the trunk are identified in the incident report with Gang unit notification



Officer Steiger was interviewed in-person by OPA-IS and he gave the following statement: He did not see the original violation committed or play any role in stopping the subject vehicle. He responded to the area when additional officers were requested. When he arrived the primary officers briefed him on the reason for the stop and that the subjects were being uncooperative. He remembered the subjects stating they were MS-13 gang members from Yakima and also saying they wanted to fight and that they were MMA [mixed martial arts] fighters.

Officer Steiger had primary contact with the driver. Once removed from the vehicle, the driver was at the hood of a patrol vehicle and [REDACTED] was doing a pat-down. The driver became verbally abusive and started "cussing" and taking his hands off the vehicle hood. Officer Steiger stated he used a pain compliance technique to de-escalate the situation and the subject received no injuries and did not make any complaint of injury to him.

Officer Steiger admitted to using profanity in this incident but he could not recall the specific words he used. Officer Steiger also admitted to searching the vehicle after being informed it was going to be impounded, incident to arrest. He stated he did an inventory search per policy. Officer Steiger confirmed seeing a bullet hole in the vehicle's trunk.

Officer Williams was interviewed in-person by OPA-IS and he gave the following statement: He was the passenger officer when the subjects' vehicle was pulled over for Reckless Driving. He made contact with the passenger while his partner contacted the driver. Officer Williams advised he had the ICV microphone during this stop.

Officer Williams described the passenger as "really intoxicated, drunk, high [on drugs] and really uncooperative." Officer Williams stated it is not illegal for the passenger to be in this condition and the passenger does not have to answer his questions. A bullet hole was observed in the back of the vehicle's trunk (but he never looked for it or saw it himself) so they called for additional units and the subjects had admitted they were MS-13 gang members and they were threatening the officers. Officer Williams stated [REDACTED] was removed from the vehicle for officer safety because he was making threats, wouldn't stop reaching under the seat/center console/glove box and he was saying he was going to come back and get them. Officer Williams stated he opened the door and pulled the subject out of the vehicle.

Officer Williams stated that he started his contact talking to the subject cordially but civility wasn't working. Officer Williams stated that unfortunately with gang members you have to get down on their level or it can escalate into a use of force and that by talking to them in a manner they could understand he prevented a use of force [incident].

Officer Williams identified himself as say/using the following profanity:



Telling the subject to shut the fuck up;  
 Calling the subject a shithead;  
 Telling the subject they were doing 50 fucking miles down the fucking road, driving like assholes;  
 Telling the subject that his badge was the only thing preventing him from skull fucking the subject and dragging him down the street; and  
 Officer Williams attributed the "you don't have to suck my dick" comment to Officer Schoenberg.

Officer Williams stated that because he was told there was a bullet hole and the subject was moving around while seated in the vehicle, he searched the passenger area before putting the subject back into the vehicle. When asked why it was appropriate to search the vehicle, Officer Williams stated he didn't search it; he was merely "frisking" it when he looked under the seat.

The entire incident was captured by In-Car Video. The officer wearing the microphone is at the edge or off-camera with the passenger while other officers were at the front of the vehicle, in the camera view, dealing with the driver. This causes some confusion but the investigation determined it was Officer Schoenberg who made the "don't suck my dick" comment while Officer Williams made the "skull fucking" comment. Officers Steiger, Schoenberg and Williams also admitted to using profanity during this contact; [REDACTED] denied using profanity and none was attributed to him.

OPA-IS Investigator: Sergeant Randy Woolery #5286

Approved by:

Lt. MT [Signature] Date 01-24-11

Capt. \_\_\_\_\_ Date \_\_\_\_\_



**Allegation (Employee #3) 5.001 Professionalism – Profanity**

[REDACTED]

**Allegation (Employee #4) 5.001 Professionalism – Profanity**

[REDACTED]

**Allegation Summary:** Based on a formal statement by Subject [REDACTED] an additional allegation of [REDACTED] added to named employee Steiger. The subject alleges his arm was wrenched behind his back and he was slammed against the patrol vehicle needlessly, causing pain but not injury.

The subject was stopped for a traffic violation and ultimately arrested and booked for a traffic crime. It is alleged that during the contact, the named employees were rude, unprofessional, and used profanity. It is further alleged the subject's vehicle was searched in violation of policy.

**Index of Exhibits:**

- A) CAD Call History 2010-80403
- B) GO 2010-80403
- C) Vehicle Impound Report
- D) Statement of [REDACTED]
- E) Statement of [REDACTED]
- F) Statement of Ofc. Schoenberg
- G) Statement of [REDACTED]
- H) Statement of Ofc. Steiger
- I) Statement of Ofc. Williams
- J) Legal Bulletin LB 09-003
- K) Legal Bulletin LB 10-002
- L) DP&P 6.180 – Searches
- M) DP&P 5.001 – Standards and Duties
- N) DP&P 6.240 – Use of Force
- O) DP&P 6.120 – Impounding Vehicles
- P) ICV



**Case Summary:**

On or about 8-26-10, OPA-IS received a complaint from Public Defender [REDACTED] of the Associated Counsel for the Accused. [REDACTED] complaint involved her clients and a traffic stop and arrest occurring on 3-11-10 in the area of Boylston & E. Pine Street.

The complaint centered on excessive and vulgar profanity captured by In-Car Video as well as vehicle search issues and a complaint of unnecessary force.

Subject [REDACTED] was interviewed in-person by OPA-IS and he gave the following statement: He was the driver of the stopped vehicle. He complained that officers approached with their guns drawn and pulled him out of his vehicle, slammed him on the hood of his vehicle and twisted his arm "real hard." [REDACTED] described the officers as being real rude and that they placed him in the back of their vehicle, unhandcuffed, and then asked if they could search his vehicle. He told them no to the search but they searched anyway. [REDACTED] also stated the searching officers ripped his leather seat covers but he has no proof of this.

During follow-up questions, [REDACTED] stated he drove for maybe a couple of blocks before he could find a place to pull over but he was not trying to elude the officers. When officers first approached he heard them tell his friend to "shut the fuck up or something." [REDACTED] admitted he had been drinking "a little bit."

[REDACTED] stated that after being pulled out of his vehicle he was not resisting when an officer pulled his right arm back causing pain but no injury. [REDACTED] stated most of the profanity, like the "skull fuck" comment, was directed towards his friend but the "sucking somebody's dick" comment might have been made towards him. [REDACTED] said he heard profanity during this incident and that the officers were disrespectful.

[REDACTED] was interviewed in-person by OPA-IS and he gave the following statement: He was the passenger in the vehicle driven by Mr. Oregon. [REDACTED] stated the officers had him get out of the vehicle and were using profanity and a "bunch of nonsense." [REDACTED] stated that [REDACTED] might have been "a little intoxicated" but he was not. [REDACTED] stated the officers first contacted him, the passenger, and asked for his name. [REDACTED] stated he told them they had no right to run his name and the officers thought he was getting smart with him. He stated the officers opened his door, twisted his arm and pulled him out of the vehicle.

[REDACTED] stated the officers were using profanity during this contact and one of them told him to suck their dick. [REDACTED] believes the comment about skull fucking was made



towards [REDACTED] [REDACTED] stated no one asked him if they could search the vehicle but he heard them ask [REDACTED] and [REDACTED] told them they could not search, but they searched anyway. [REDACTED] believes they used the release button to open the trunk.

[REDACTED] was interviewed in-person by OPA-IS and he gave the following statement: He did not make the original traffic stop and did not observe the violation. [REDACTED] responded as a backing officer and he made initial contact with the driver, along with Officer Williams. [REDACTED] stated the passenger and driver admitted to being MS-13 gang members and he knows this gang to be violent towards law enforcement. [REDACTED] stated he did not use profanity himself because that is not his style but he did hear profanity being used and thought that given the situation it was appropriate. [REDACTED] thought it was appropriate because the subjects were using profanity, threatening the officers and that speaking at the gang member's level is often the only way they will understand you and they believe you are weak if you don't talk to them this way.

[REDACTED] stated he entered the vehicle to retrieve a cell phone but he did not search the vehicle and located no evidence. He also stated he did look in the passenger's section to try and see what the passenger had been doing but he found nothing. [REDACTED] does not recall seeing or hearing about a possible bullet hole in the vehicle trunk.

Officer Schoenberg was interviewed in-person by OPA-IS and he gave the following statement: He was working with Officer Williams the night in question and he was driving. They stopped the subjects' vehicle for reckless driving and he made initial contact with the driver; Subject [REDACTED]. He believed, based on driving, the driver might be intoxicated but he was not able to determine this further. After running the subjects' names, he contacted the passenger because Officer Williams was along with him. Officer Schoenberg stated the passenger was being verbally resistant and at some point he made the "don't suck my dick" comment and at some point Officer Williams made the "skull fuck" comment. Officer Schoenberg stated the "don't suck my dick" comment is something that he has heard on the street before, used by gang members to mean, "don't suck up to me, don't play me like that." Officer Schoenberg believes that using profanity with gang members is a way of de-escalating the situation.

Officer Schoenberg does not remember whose decision it was to search the vehicle or why. From the ICV, he stated it was he who asked the driver if he could search the vehicle and he recalled that he was told that he did not have permission. Officer Schoenberg stated then that since the vehicle was being impounded the vehicle was searched, including the trunk. Officer Schoenberg then stated that the subject asked him to get his cellular phone and since he didn't know where it was, he searched the passenger side of the vehicle. Later in the interview, Officer Schoenberg stated there was a bullet hole in the vehicle trunk so the trunk was searched to see if there were any valuables inside or victims in the trunk. The possible bullet hole and examining of the trunk are identified in the incident report with Gang unit notification

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Officer Steiger was interviewed in-person by OPA-IS and he gave the following statement: He did not see the original violation committed or play any role in stopping the subject vehicle. He responded to the area when additional officers were requested. When he arrived the primary officers briefed him on the reason for the stop and that the subjects were being uncooperative. He remembered the subjects stating they were MS-13 gang members from Yakima and also saying they wanted to fight and that they were MMA [mixed martial arts] fighters.

Officer Steiger had primary contact with the driver. Once removed from the vehicle, the driver was at the hood of a patrol vehicle and [REDACTED] was doing a pat-down. The driver became verbally abusive and started "cussing" and taking his hands off the vehicle hood. Officer Steiger stated he used a pain compliance technique to de-escalate the situation and the subject received no injuries and did not make any complaint of injury to him.

Officer Steiger admitted to using profanity in this incident but he could not recall the specific words he used. Officer Steiger also admitted to searching the vehicle after being informed it was going to be impounded, incident to arrest. He stated he did an inventory search per policy. Officer Steiger confirmed seeing a bullet hole in the vehicle's trunk.

Officer Williams was interviewed in-person by OPA-IS and he gave the following statement: He was the passenger officer when the subjects' vehicle was pulled over for Reckless Driving. He made contact with the passenger while his partner contacted the driver. Officer Williams advised he had the ICV microphone during this stop.

Officer Williams described the passenger as "really intoxicated, drunk, high [on drugs] and really uncooperative." Officer Williams stated it is not illegal for the passenger to be in this condition and the passenger does not have to answer his questions. A bullet hole was observed in the back of the vehicle's trunk (but he never looked for it or saw it himself) so they called for additional units and the subjects had admitted they were MS-13 gang members and they were threatening the officers. Officer Williams stated [REDACTED] was removed from the vehicle for officer safety because he was making threats, wouldn't stop reaching under the seat/center console/glove box and he was saying he was going to come back and get them. Officer Williams stated he opened the door and pulled the subject out of the vehicle.

Officer Williams stated that he started his contact talking to the subject cordially but civility wasn't working. Officer Williams stated that unfortunately with gang members you have to get down on their level or it can escalate into a use of force and that by talking to them in a manner they could understand he prevented a use of force [incident].

Officer Williams identified himself as say/using the following profanity:



Telling the subject to shut the fuck up;  
 Calling the subject a shithead;  
 Telling the subject they were doing 50 fucking miles down the fucking road, driving like assholes;  
 Telling the subject that his badge was the only thing preventing him from skull fucking the subject and dragging him down the street; and  
 Officer Williams attributed the "you don't have to suck my dick" comment to Officer Schoenberg.

Officer Williams stated that because he was told there was a bullet hole and the subject was moving around while seated in the vehicle, he searched the passenger area before putting the subject back into the vehicle. When asked why it was appropriate to search the vehicle, Officer Williams stated he didn't search it; he was merely "frisking" it when he looked under the seat.

The entire incident was captured by In-Car Video. The officer wearing the microphone is at the edge or off-camera with the passenger while other officers were at the front of the vehicle, in the camera view, dealing with the driver. This causes some confusion but the investigation determined it was Officer Schoenberg who made the "don't suck my dick" comment while Officer Williams made the "skull fucking" comment. Officers Steiger, Schoenberg and Williams also admitted to using profanity during this contact; [redacted] denied using profanity and none was attributed to him.

OPA-IS Investigator: Sergeant Randy Woolery #5286

Approved by:

Lt. MT [Signature] Date 01-24-11

Capt. \_\_\_\_\_ Date \_\_\_\_\_