



U.S. Department of Justice

Civil Rights Division

PMF:KM:FC:OM:tc  
DJ 144-82-914

Criminal Section - PHB  
950 Pennsylvania Ave, NW  
Washington DC 20530

November 3, 2015

Ms. Kathleen O'Toole  
Chief of Police  
Seattle Police Department  
Post Office Box 34986  
Seattle, WA 98124-4986

Dear Chief O'Toole:

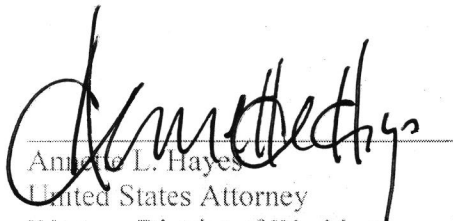
As you know, the United States Attorney's Office for the Western District of Washington and the Criminal Section of the Civil Rights Division enforce the federal criminal civil rights laws, such as the willful abuse of authority by public officials that deprives individuals of liberties and rights defined in the United States Constitution or federal law. We evaluate allegations of civil rights violations to determine whether the evidence and circumstances of the case warrant a federal criminal prosecution.


On June 4, 2015, you requested that the United States Attorney's Office for the Western District of Washington and the Civil Rights Division review a November 4, 2010, incident to determine whether officer David Bauer's use of force violated the civil rights of Eulogia Morales-Cayetano, Emmanuel Ocampo Morales, Rufino Ocampo-Estrada, and Magdaleno Simone Morales.

We recently completed our review of the results of that investigation to determine whether a federal criminal prosecution was warranted. After careful consideration of the information, we concluded that there is insufficient evidence to establish a prosecutable violation of the federal criminal civil rights statutes. Please note that our conclusion that the evidence does not meet the high standard for proving a criminal civil rights case does not in any way condone the conduct that was the subject of our investigation.

The United States Attorney's Office and the Division are dedicated to the enforcement of federal criminal civil rights statutes. We appreciate your cooperation in our shared responsibility to ensure the impartial and effective enforcement of our laws.

Sincerely,

  
Amanda L. Hayes  
United States Attorney  
Western District of Washington

  
Paige M. Fitzgerald  
Acting Section Chief  
Criminal Section

cc: Officer David Bauer