



## OFFICE OF PROFESSIONAL ACCOUNTABILITY

### Closed Case Summary

Complaint Number OPA#2014-0770

Issued Date: 06/25/2015

Named Employee #1	
Allegation #1	<u>Seattle Police Department Manual</u> 4.010 (2) Employee Time Off: Employees Schedule Time Off With Their Sergeant/Supervisor (Policy that was issued 07/16/14)
OPA Finding	<b>Sustained</b>
Allegation #2	<u>Seattle Police Department Manual</u> 4.040 (9) Sick Leave: Employees Will Use Earned Sick Leave for a Medical Absence (Policy that was issued 07/16/14)
OPA Finding	<b>Not Sustained</b> (Inconclusive)
Allegation #3	<u>Seattle Police Department Manual</u> 5.002 (10) Employees Shall Be Truthful and Complete in All Communication (Policy that was issued 07/16/14)
OPA Finding	<b>Sustained</b>
Allegation #4	<u>Seattle Police Department Manual</u> 5.002 (11) Employees Shall Cooperate with Department Internal Investigations (Policy that was issued 07/16/14)
OPA Finding	<b>Sustained</b>
Final Discipline	<b>Retirement in lieu of Termination</b>

## **INCIDENT SYNOPSIS**

The named employee did not report to work when he was scheduled to be at work.

## **COMPLAINT**

The complainant, a supervisor within the department, alleged that the named employee did not report to work on a scheduled work day and had not received prior authorization to take the day off. When contacted by a different supervisor, the named employee stated that he did not know he was scheduled to work and asked for a vacation day. He was told that all officers on his watch were being detailed to work an event downtown and that his vacation request was denied. The named employee then marked his day absent as a sick day. It was reported that the named employee had been observed at the precinct prior to roll call and had left after checking the staffing sheets and learning of the event downtown.

## **INVESTIGATION**

The OPA investigation included the following actions:

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

## **ANALYSIS AND CONCLUSION**

The evidence showed that the named employee did not receive authorization to miss his scheduled day at work. The named employee was neither truthful nor complete in all communications about the reason for the missed day of work. In addition, the named employee did not fully cooperate with the investigation conducted by the Office of Professional Accountability (OPA) and misrepresented evidence presented to OPA. Based on the totality of information and a pattern of dishonesty and a failure to cooperate with the OPA investigation, the following findings were issued that resulted in the severity of the discipline imposed.

## **FINDINGS**

### **Named Employee #1**

#### **Allegation #1**

The weight of the evidence showed that the named employee took time off without approval of his Sergeant. Therefore a **Sustained** finding was issued for *Employee Time Off: Employees Schedule Time Off With Their Sergeant/Supervisor*.

Allegation #2

The evidence could not prove nor disprove that the named employee did not use Sick Leave for a medical absence. Therefore a finding of **Not Sustained** (Inconclusive) was issued for *Sick Leave: Employees Will Use Earned Sick Leave for a Medical Absence*.

Allegation #3

The weight of the evidence showed that the named employee did not truthfully provide all of the information as required by policy. Therefore a **Sustained** finding was issued for *Employees Shall Be Truthful and Complete in All Communication*.

Allegation #4

The weight of the evidence showed that the named employee did not cooperate with the investigation by the Office of Professional Accountability. Therefore a **Sustained** finding was issued for *Employees Shall Cooperate with Department Internal Investigations*.

Discipline imposed: **Retirement in lieu of Termination**

*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.*