



## OFFICE OF PROFESSIONAL ACCOUNTABILITY

### Closed Case Summary

Complaint Number OPA#2015-0384

Issued Date: 10/01/2015

Named Employee #1	
Allegation #1	<u>Seattle Police Department Manual</u> 5.001 (6) Employees Engaged in Department-Related Activities Identify Themselves When Requested (Policy that was issued 07/16/14)
OPA Finding	<b>Not Sustained</b> (Inconclusive)
Allegation #2	<u>Seattle Police Department Manual</u> 5.001 (9) Professionalism (Policy that was issued 07/16/14)
OPA Finding	<b>Not Sustained</b> (Unfounded)
Allegation #3	<u>Seattle Police Department Manual</u> 5.120 (IV.A) Secondary Employment Permit (Policy that was issued 03/19/14)
OPA Finding	<b>Sustained</b>
Final Discipline	Oral Reprimand

Named Employee #2	
Allegation #1	<u>Seattle Police Department Manual</u> 5.001 (6) Employees Engaged in Department-Related Activities Identify Themselves When Requested (Policy that was issued 07/16/14)
OPA Finding	<b>Not Sustained</b> (Inconclusive)
Final Discipline	N/A

## **INCIDENT SYNOPSIS**

The named employees were working off-duty at a stadium.

## **COMPLAINT**

The complainant alleged that the named employees harassed him before and during a game at a stadium by threatening to arrest him if he crossed on to the private property. The complainant further alleged that named employee #1 put his hand on his weapon while talking with him and used profanity. He reported that both named employees refused to give their names or badge numbers when he requested it from them.

## **INVESTIGATION**

The OPA investigation included the following actions:

1. Interview of the complainant
2. Search for and review of all relevant records and other evidence
3. Review of other video
4. Interview of witnesses
5. Interviews of SPD employees

## **ANALYSIS AND CONCLUSION**

The evidence could not prove or disprove that the named employees refused to identify themselves when asked by the complainant. The investigation included a review of security video provided by the stadium and interviews with civilian security staff. The preponderance of the evidence showed that named employee #1 was professional in his conduct toward the complainant. At the time of the incident, named employee #1 did not have a valid secondary employment permit.

## **FINDINGS**

### **Named Employee #1**

#### **Allegation #1**

The evidence could not prove or disprove that the named employee did not identify himself when asked. Therefore a finding of **Not Sustained** (Inconclusive) was issued for *Employees Engaged in Department-Related Activities Identify Themselves When Requested*.

#### **Allegation #2**

The evidence showed that the named employee behaved in a Professional manner. Therefore a finding of **Not Sustained** (Unfounded) was issued for *Professionalism*.

Allegation #3

The weight of the evidence showed that the named employee had an expired permit on file. Therefore a **Sustained** finding was issued for *Secondary Employment Permit*.

**Named Employee #2**

Allegation #1

The evidence could not prove or disprove that the named employee did not identify himself when asked. Therefore a finding of **Not Sustained** (Inconclusive) was issued for *Employees Engaged in Department-Related Activities Identify Themselves When Requested*.

*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.*