



# OFFICE OF PROFESSIONAL ACCOUNTABILITY

## Closed Case Summary

Complaint Number OPA#2016-0194

Issued Date: 08/15/2016

<b>Named Employee #1</b>	
Allegation #1	<u>Seattle Police Department Manual</u> 5.001 (5) Employees May Use Discretion (Policy that was issued 04/01/2015)
OPA Finding	<b>Not Sustained</b> (Unfounded)
Final Discipline	N/A

### **INCIDENT SYNOPSIS**

Numerous callers reported a traffic collision involving an intoxicated male driver. About an hour later a male called 911 indicating they were still awaiting officers. The Named Employee informed the caller the parties could exchange information and did not have to await the police.

### **COMPLAINT**

The complainant, a supervisor within the Department, alleged that the Named Employee may have encouraged the DUI driver to leave the scene.

### **INVESTIGATION**

The OPA investigation included the following actions:

1. Review of the complaint email
2. Search for and review of all relevant records and other evidence
3. Review of 911 calls
4. Interview of SPD employees

## **ANALYSIS AND CONCLUSION**

The Named Employee was one of several SPD Communications employees who handled calls from people who witnessed or were involved in a collision. It was alleged that the Named Employee failed to properly apply the use of discretion when she told one of the callers who had been involved in the collision that he was free to leave the scene once he and the other involved driver(s) had exchanged driver's license, registration and insurance information as required by Washington State Statute. The reason for this allegation was that other callers to SPD Communications had previously informed the SPD Communications employees with whom they spoke that one of the drivers appeared to be intoxicated. The supposedly intoxicated driver happened to be the driver who called in and spoke with the Named Employee. The preponderance of the evidence from this investigation shows that the Named Employee was unaware of the statements by previous callers alleging that one of the drivers appeared to be intoxicated and had no training, expertise or job expectation to assess over the telephone whether or not the person with whom she was speaking was or was not intoxicated. Also, the evidence shows that the Named Employee handled only one of the several calls that came in about this collision. Finally, it is clear that the Named Employee provided information to the caller that was accurate as to the requirements of State Statute and was intended to provide the caller with useful information.

## **FINDINGS**

### **Named Employee #1**

#### **Allegation #1**

The preponderance of the evidence from this investigation shows that the Named Employee provided information that was accurate as to the requirements of State Statute. Therefore a finding of **Not Sustained** (Unfounded) was issued for *Employees May Use Discretion*.

*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.*