



OFFICE OF PROFESSIONAL ACCOUNTABILITY

Closed Case Summary

Complaint Number OPA#2017-0014

Issued Date: 07/21/2017

Named Employee #1	
Allegation #1	<u>Seattle Police Department Manual</u> 5.140 (2) Bias-Free Policing: Officers Will Not Engage in Bias Based Policing (Policy that was issued August 1, 2015)
OPA Finding	Not Sustained (Unfounded)
Allegation #2	<u>Seattle Police Department Manual</u> 5.001 (9) Standards and Duties: Employees Shall Strive to be Professional at all Times (Policy that was issued April 1, 2015)
OPA Finding	Not Sustained (Unfounded)
Final Discipline	N/A

INCIDENT SYNOPSIS

The Named Employee assisted a community member at the front desk of SPD Headquarters.

COMPLAINT

The Complainant, an employee within the Department, alleged that the Named Employee made remarks to an unknown citizen possibly indicating bias and xenophobia. The Complainant also alleged that she heard the Named Employee interact with the public in an unprofessional and "rude" manner.

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

There was no evidence to support an allegation that the Named Employee made any “decisions or [took] actions that [were] influenced by bias, prejudice, or discriminatory intent” as prohibited by policy. In fact, the evidence supported the conclusion that the Named Employee attempted to determine what the community member wanted, had a very brief interaction with him and then directed him to where he might be able to obtain the assistance he was seeking.

The preponderance of the evidence showed that the Complainant heard a portion of what the Named Employee said to himself as the community member was turning away from his interaction with the Named Employee. The Complainant acknowledged to OPA that she did not hear all of what the Named Employee said to the community member. The Named Employee’s recollection of what he said was consistent with what the Complainant reported hearing with respect to the end of the Named Employee’s comment. If the Named Employee’s account was to be accepted- and there was no evidence to suggest it was anything but accurate- his statement was neither offensive nor derogatory. It appeared to have been a self-directed thought of frustration muttered aloud. Doubtless, it would have been better had the Named Employee kept his thoughts unexpressed, but there was no evidence to support the conclusion that the Named Employee’s words were insulting or derogatory, either in fact or by design.

FINDINGS

Named Employee #1

Allegation #1

There was no evidence to support this allegation. Therefore a finding of **Not Sustained** (Unfounded) was issued for *Bias-Free Policing: Officers Will Not Engage in Bias Based Policing*.

Allegation #2

A preponderance of the evidence showed that the Named Employee’s statement was neither offensive nor derogatory. Therefore a finding of **Not Sustained** (Unfounded) was issued for *Standards and Duties: Employees Shall Strive to be Professional at all Times*.

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.