



CLOSED CASE SUMMARY

ISSUED DATE: SEPTEMBER 6, 2019

CASE NUMBER: 2019OPA-0492

Allegations of Misconduct & Director’s Findings

Named Employee #1

Allegation(s):		Director’s Findings
# 1	5.001 - Standards and Duties 10. Employees Shall Strive to be Professional	Rapid Adjudication - Sustained

Imposed Discipline

Written Reprimand

This Closed Case Summary (CCS) represents the opinion of the OPA Director regarding the misconduct alleged and therefore sections are written in the first person.

EXECUTIVE SUMMARY:

It was alleged that the Named Employee engaged in conduct that was reckless and inconsistent with SPD policy.

ADMINISTRATIVE NOTE:

On July 14, 2019, Named Employee #1 (NE#1) and his partner had just made an arrest for DUI when a “Help the Officer” call was broadcast in the West Precinct. The report was for shots fired and NE#1 and his partner believed the call may have been describing an officer down or injured. In response, NE#1 and his partner decided to respond to the scene. While on their way to the scene, NE#1, who was seated in the passenger’s seat, retrieved his shotgun from its rack and readied it for deployment. At that time, NE#1 used profanities and twice struck the barrel of the shotgun into the dashboard. Sometime shortly thereafter, radio indicated that the scene was under control. Ultimately, it was determined that no officers had been injured.

At the conclusion of this incident, NE#1 told his supervisor about what he did inside the patrol vehicle with his shotgun and reported that he damaged the dashboard. Later that same day, NE#1’s Lieutenant asked him to explain his actions. Following that meeting, NE#1’s Lieutenant reported to OPA that NE#1 acknowledged his mistake and expressed regret for his actions. NE#1 also understood that his actions were unsafe. The Lieutenant further reported to OPA that NE#1’s actions were inconsistent with the Lieutenant’s previous observations of NE#1’s performance in the field. The Lieutenant stated that he believed that NE#1 appeared to have a subconscious response to a highly charged event, but that NE#1 engaged in a very cooperative and detailed conversation about what took place and why it was unacceptable. The Lieutenant did not believe that NE#1 intended to damage Department property. The Lieutenant further stated that he informed NE#1 that he made a poor decision and that it was inconsistent with the Department’s expectations for officer conduct.



After OPA completed its preliminary investigation and considering the fact that NE#1 acknowledged to his Lieutenant that his actions were inappropriate and inconsistent with expectations, OPA determined that this case could be appropriate for resolution by means of Rapid Adjudication (RA). RA is provided for in the Seattle Police Officers' Guild's collective bargaining agreement (CBA) with the City. It allows, among other things, for employees to recognize that their conduct was inconsistent with Department policies and standards, and to accept discipline for the policy violation rather than undergoing a full OPA investigation.

OPA sent correspondence to NE#1 informing him that his case was a potential candidate for resolution through RA. In addition, and consistent with the procedure set forth in the CBA, OPA forwarded to the Chief of Police its recommended disposition as well as proposed discipline in the form of a written reprimand and retraining, which will be later determined by OPA and SPD. The Chief of Police concurred with OPA's recommended findings and proposed discipline. NE#1 also agreed to the discipline and, in doing so, stipulated that the findings and discipline were final and could not be appealed or be otherwise later disputed.

Named Employee #1 - Allegation #1

5.001 - Standards and Duties 10. Employees Shall Strive to be Professional

SPD Policy 5.001-POL-10 requires that SPD employees "strive to be professional at all times." The policy further instructs that "employees may not engage in behavior that undermines public trust in the Department, the officer, or other officers."

As noted above, NE#1 acknowledged that he engaged in unprofessional conduct when struck the barrel of a shotgun into the dashboard of his patrol vehicle twice, causing significant damage. He agreed to proceed with RA and, in doing so, accepted the discipline recommended by OPA and issued by the Chief of Police. As such, OPA recommends that this allegation be Sustained – Rapid Adjudication.

This finding is both final and binding.

Recommended Finding: **Rapid Adjudication - Sustained**