



## OFFICE OF PROFESSIONAL ACCOUNTABILITY

### Closed Case Summary

Complaint Number OPA#2014-0248

Issued Date: 03/09/2015

Named Employee #1	
Allegation #1	<u>Seattle Police Department Manual</u> 5.001 (VI.A) Standards & Duties / Integrity (Policy that was issued prior to 7/16/14)
OPA Finding	<b>Not Sustained</b> (Inconclusive)
Allegation #2	<u>Seattle Police Department Manual</u> 5.001 (VI.A) Standards & Duties / Professionalism (Policy that was issued prior to 7/16/14)
OPA Finding	<b>Sustained</b>
Final Discipline	Written Reprimand

Named Employee #2	
Allegation #1	<u>Seattle Police Department Manual</u> 5.001 (VI.A) Standards & Duties / Integrity (Policy that was issued prior to 7/16/14)
OPA Finding	<b>Not Sustained</b> (Inconclusive)
Allegation #2	<u>Seattle Police Department Manual</u> 5.001 (VI.A) Standards & Duties / Professionalism (Policy that was issued prior to 7/16/14)
OPA Finding	<b>Sustained</b>
Final Discipline	1 day suspension without pay

## **INCIDENT SYNOPSIS**

During a follow-up to a different OPA investigation, in which named employee #1 was involved, it was revealed that named employee #1 had left his In-Car Video continuously running for six hours. While listening to the video relative to the other OPA investigation, a conversation between named employee #1 and named employee #2 was heard. The named employees made profane, disparaging remarks about the Department and Department employees, as well as suggestions to covertly remove negative material from one of their own human resource personnel files.

## **COMPLAINT**

The complainant, a supervisor within the department, alleged that the named employees made statements that were unprofessional and caused their integrity to be put into question.

## **INVESTIGATION**

The OPA investigation included the following actions:

1. Review of In-Car Video
2. Examination of HR records to verify that neither employee had been given access to their personnel files
3. Interviews of SPD employees

## **ANALYSIS AND CONCLUSION**

Although the named employees believed they were having a private conversation in the patrol vehicle and that they were joking with one another, a police vehicle is considered part of an officer's workplace and both employees were on duty. Furthermore, the content and nature of the conversation in question was inappropriate for the workplace.

## **FINDINGS**

### **Named Employee #1**

#### **Allegation #1**

There was insufficient evidence to either prove or disprove the allegation that named employee #1 was serious in the suggestion that named employee #2 remove documents from a personnel file; therefore a finding of **Not Sustained** (Inconclusive) was issued for *Integrity*.

Allegation #2

Private conversations in Department facilities or vehicles in violation of established policies, rules or standards can subject employees to discipline. Regardless of whether the conversation was in jest, the expectation is for professional and respectful conversations in the workplace, therefore a **Sustained** finding was issued for *Professionalism*.

**Discipline imposed by the Chief of Police:** Written Reprimand

**Named Employee #2**

Allegation #1

There was insufficient evidence to either prove or disprove the allegation that named employee #2 took serious the suggestion made by named employee #1 to remove documents from a personnel file; therefore a finding of **Not Sustained** (Inconclusive) was issued for *Integrity*.

Allegation #2

Private conversations in Department facilities or vehicles appearing to be in violation of established policies, rules or standards can subject employees to discipline. Regardless of whether the conversation was in jest, the expectation is for professional and respectful conversations in the workplace and as named employee #2 is a supervisor within the department, a **Sustained** finding was issued for *Professionalism*.

**Discipline imposed by the Chief of Police:** 1 day suspension without pay

*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.*