



## OFFICE OF PROFESSIONAL ACCOUNTABILITY

### Closed Case Summary

Complaint Number OPA#2015-1878

Issued Date: 09/26/2016

Named Employee #1	
Allegation #1	<u>Seattle Police Department Manual</u> 5.001 (10) Employees Shall Be Truthful and Complete In All Communications (Policy that was issued 04/01/2015)
OPA Finding	<b>Sustained</b>
Allegation #1	<u>Seattle Police Department Manual</u> 5.002 (11) Responsibilities of Employees Concerning Complaints of Possible Misconduct: Employees Shall Cooperate With Internal Department Investigations (Policy that was issued 01/01/2015)
OPA Finding	<b>Sustained</b>
Final Discipline	Had employee not already resigned - Termination

#### **INCIDENT SYNOPSIS**

The Named Employee participated in an OPA interview.

#### **COMPLAINT**

The complainant, a supervisor within the Department, alleged that the Named Employee gave false and or misleading information during an OPA interview.

#### **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. Interview of SPD employees

## **ANALYSIS AND CONCLUSION**

During an investigative interview conducted by OPA in November 2015, in connection with another OPA case, the Named Employee said she did not audio record any meetings or conversations she had with her SPD supervisor. The Named Employee also denied telling an SPD employee that she had audio recorded her (the Named Employee) meetings or conversations with her (the Named Employee) supervisor. The evidence to the contrary is clear and convincing. The SPD employee's statements to OPA, both in this investigation and in connection with the other OPA case, are consistent and detailed. The SPD employee has stated that the Named Employee and a co-worker told the SPD employee they had several times recorded their conversations with their supervisor and that they made it clear those recordings were made using their iPhone devices. The Named Employee's later assertion she used the word "recorded" to mean she had written down on paper her memory of the conversations with her supervisor is not credible in light of the unambiguous testimony of the SPD employee. Additional evidence to support the finding that the Named Employee was untruthful when she told OPA she made no audio recordings of her conversations with her supervisor includes the report by a co-worker of a previous conversation in which the Named Employee counseled the co-worker to use her phone to record conversations with supervisors to protect herself. In addition, the SPD detective who initially interviewed the Named Employee as part of a criminal probe into the alleged illegal recordings reported to OPA that the Named Employee initially admitted to recording one "lab meeting" in her workplace. SPD Policy §5.002(11) requires all SPD employees "truthfully answer all questions" put to them as part of an OPA investigation. As demonstrated above the Named Employee made false statements during her OPA interview.

## **FINDINGS**

### **Named Employee #1**

#### Allegation #1

The evidence supports that Named Employee #1 violated the policy. Therefore a **Sustained** was issued for *Employees Shall Be Truthful and Complete In All Communications*.

#### Allegation #2

The evidence supports that Named Employee #2 violated the policy. Therefore a **Sustained** was issued for *Responsibilities of Employees Concerning Complaints of Possible Misconduct: Employees Shall Cooperate With Internal Department Investigations*.

Discipline imposed: Had employee not already resigned - Termination

*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.*