



OFFICE OF PROFESSIONAL ACCOUNTABILITY

Closed Case Summary

Complaint Number OPA#2016-0806

Issued Date: 05/15/2017

Named Employee #1	
Allegation #1	<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	Sustained
Allegation #2	<u>Seattle Police Department Manual</u> 5.001 (12) Standards and Duties: Employees Shall Not Use Their Position or Authority for Personal Gain (Policy that was issued April 1, 2015)
OPA Finding	Not Sustained (Unfounded)
Final Discipline	No Discipline

INCIDENT SYNOPSIS

The Named Employee was involved in a dispute with bank staff while off duty.

COMPLAINT

The complaint, a supervisor within the Department, alleged the Named Employee was involved in a disturbance and conducted himself in an unprofessional manner.

INVESTIGATION

The OPA investigation included the following actions:

1. Review of the complaint memo
2. Review of In-Car Videos (ICV)
3. Search for and review of all relevant records and other evidence
4. Interview of SPD employee

ANALYSIS AND CONCLUSION

The preponderance of the evidence from this investigation showed that the Named Employee acted in a manner that “undermine[d] public trust in the Department, the officer ...” in violation of SPD Policy 5.001(9). The bank manager told OPA that the Named Employee said he was a police officer and would have the manager arrested for stealing his money. While the Named Employee denied identifying himself as an officer, the manager’s recollection was consistent with other evidence. Once this connection to his position as an officer at SPD was present in the situation, the Named Employee was obligated to behave in a manner consistent with the requirements of policy. The evidence showed he was loud, demanding, mildly threatening, refused to leave, and called 911 to report a “Robbery.” It was clear from the OPA interviews and the many videos of the incident that the three persons in the bank with the Named Employee were upset and concerned by his behavior.

There was no evidence the Named Employee made any attempt to use his position for personal gain. Acting in a confused state, the Named Employee incorrectly reported to 911 and responding officers that there had been a robbery. The evidence from this investigation showed the Named Employee was attempting to get the police to take his report seriously, not trying to obtain some special advantage for himself.

FINDINGS

Named Employee #1

Allegation #1

A preponderance of the evidence showed that the Named Employee acted in a manner that was in violation of SPD Policy. Therefore a **Sustained** finding was issued for *Standards and Duties: Employees Shall Strive to be Professional at all Times.*

Discipline Imposed: No Discipline Imposed

Allegation #2

A preponderance of the evidence showed that the Named Employee was not trying to obtain some special advantage for himself. Therefore a finding of **Not Sustained** (Unfounded) was issued for *Standards and Duties: Employees Shall Not Use Their Position or Authority for Personal Gain.*

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.