



CLOSED CASE SUMMARY

ISSUED DATE: FEBRUARY 9, 2018

CASE NUMBER: 2017OPA-0907

Allegations of Misconduct & Director’s Findings

Named Employee #1

Allegation(s):		Director’s Findings
# 1	5.001 - Standards and Duties 9. Employees Shall Strive to be Professional at all Times	Sustained

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:

The Complainant alleged that the Named Employee's behavior – causing problems during training, refusing to participate in classroom projects, and making inappropriate statements – resulted in his dismissal from a training course at the Washington State Criminal Justice Training Center. The Complainant also alleged that the Named Employee's behavior brought "discredit, humiliation, and embarrassment" to the Department.

ANALYSIS AND CONCLUSIONS:

Named Employee #1 - Allegation #1

5.001 - Standards and Duties 9. Employees Shall Strive to be Professional at all Times

This complaint in this matter was submitted to OPA by an SPD Lieutenant. The Lieutenant stated that Named Employee #1 (NE#1) had been expelled from the Telecommunicator 1 course that was held at the Washington State Criminal Justice Training Center (WSCJTC). This course was required for NE#1’s employment as a dispatcher.

The expulsion was based on NE#1’s attitude and conduct during the course and lack of participation, as reported by co-workers and WSCJTC employees. The expulsion was also based, however, on NE#1’s demeanor and several inappropriate comments he made. For example, during a role-playing exercise in which individuals were being subjected to harm or found a loved one to be deceased, NE#1’s response was to laugh. Moreover, at one point, NE#1 was required to simulate taking a call from a non-native English speaker. Witnesses reported that NE#1 stated that his caller spoke “African Bush man.” There were numerous other statements that were deemed inappropriate by a number of witnesses. These statements, as well as NE#1’s conduct, is set forth in detailed fashion in the various complaints, notes, and interviews included in the case file, as well as in the Case Summary. Moreover, several individuals involved in the class reported feeling uncomfortable around NE#1 and did not want to work with him.

During his OPA interview, NE#1 provided explanations for the various comments attributed to him and denied being unprofessional. However, his account of his behavior and conduct is simply at odds with the weight of the evidence and the statements made by the WSCJTC instructors. OPA also interviewed two other SPD dispatchers. One did not recall NE#1 acting inappropriately, but indicated that he did not participate fully in the class. The other believed that NE#1 made inappropriate statements and did not act in manner that placed SPD in the best light.



SPD Policy 5.001-POL-9 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.” (SPD Policy 5.001-POL-9.)

Based on the totality of the evidence and applying a preponderance of the evidence standard, I find that NE#1 violated the Department’s professionalism policy. In making this determination, I place significant weight on the statements from the WSCJTC employees. I also placed great weight on the determination by NE#1’s supervisor that NE#1’s behavior brought “discredit, humiliation, and embarrassment” to the Department and that NE#1 was, based on his knowledge, the only SPD employee to ever have been expelled from this course. I note that it is not just SPD dispatchers that attend this course, dispatchers from all over Washington State come to the WSCJTC for training and to learn from each other. NE#1’s conduct and the fact that he was expelled not only reflected poorly on him, but also on the reputation of the Department. As such, I recommend that this allegation be Sustained.

Recommended Finding: **Sustained**