



CLOSED CASE SUMMARY

ISSUED DATE: MAY 6, 2019

CASE NUMBER: 2018OPA-1014

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	Sustained – Rapid Adjudication
# 2	5.140 - Bias-Free Policing 2. Officers Will Not Engage in Bias-Based Policing	Allegation Removed
# 3	12.110 - Use of Department E-mail & Internet Systems 4. All Email and Internet Communications Must be Professional, Appropriate, and Lawful	Allegation Removed

Imposed Discipline

Suspension without pay – 2 day

EXECUTIVE SUMMARY:

In October 2018, the Named Employee sent a reply email to all Department employees that contained commentary that mocked a certain ethnic stereotype. OPA alleged that the Named Employee’s communication potentially violated the Department’s policies regarding professionalism, biased policing, and acceptable email usage.

ADMINISTRATIVE NOTE:

Named Employee #1 (NE#1) sent an email to OPA requesting that this case be considered for 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.

After conducting its intake investigation, OPA agreed that RA was appropriate for this case, and pursuant to the procedure set forth in the CBA, OPA forward to the Chief of Police its recommended disposition as well as proposed discipline in the form of a two-day suspension. 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 finding and discipline were final and could not be appealed or otherwise later disputed.

Named Employee #1 - Allegations #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 discussed above, NE#1 sent an email that contained an insensitive and offensive racially motivated comment. By requesting and then agreeing to proceed with RA, NE#1 recognized that his actions in this case violated the Department's professionalism policy. He further 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.

Finding: **Sustained – Rapid Adjudication**

Named Employee #1 - Allegation #2

5.140 - Bias-Free Policing 2. Officers Will Not Engage in Bias-Based Policing

As a result of RA being agreed to and applied to NE#1's actions in the context of Allegation #1, the remaining allegations in this case were removed.

Finding: **Allegation Removed**

Named Employee #1 - Allegation #3

12.110 - Use of Department E-mail & Internet Systems 4. All Email and Internet Communications Must be Professional, Appropriate, and Lawful

As a result of RA being agreed to and applied to NE#1's actions in the context of Allegation #1, the remaining allegations in this case were removed.

Recommended Finding: **Allegation Removed**