



## CLOSED CASE SUMMARY

ISSUED DATE: DECEMBER 25, 2022  
  
FROM: DIRECTOR GINO BETTS  
OFFICE OF POLICE ACCOUNTABILITY  
  
CASE NUMBER: 2022OPA-0200

### **Allegations of Misconduct & Director’s Findings**

Named Employee #1

Allegation(s):		Director’s Findings
# 1	5.140 - Bias-Free Policing 5.140-POL 2. Officers Will Not Engage in Bias-Based Policing	Not Sustained - Inconclusive

*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 Named Employee #1 (NE#1) posted a “transphobic” meme and biased comments on social media platforms.

### **ADMINISTRATIVE NOTE:**

This case was designated an Expedited Investigation. That means OPA, with the Office of Inspector General’s review and approval, believed it could reach and issue recommended findings based solely on its intake investigation, without interviewing the involved employees.

### **SUMMARY OF INVESTIGATION:**

In its intake investigation, OPA reviewed the initial complaint and attached screenshots.

An anonymous Complainant sent OPA screenshots of a Twitter thread (Twitter Thread). The Twitter Thread contained an Instagram post allegedly made by NE#1 under an alias name (last name ‘Tran.’) The Instagram post was a “meme” depicting reality television personality Kim Kardashian with a blank expression looking away from the camera. The text above the photo read: “[w]hen you trying to figure out what to get your dad for mother’s day.”<sup>1</sup> The post was captioned, “hahaha too good to pass up. I haven’t had cable in about seven years, but even I understand this one.”

The Twitter Thread also contained another screenshot of Facebook comments posted about three years ago by an accountholder with the same name as the Instagram accountholder—allegedly NE#1. In that Facebook comment thread, a commenter asked the accountholder whether they were related to someone else with the last name “Tran.” The accountholder replied, “I have no idea. There are a bazillion Trans out there!” Another commenter posted, “It’s

<sup>1</sup> Kim Kardashian’s stepmother, Caitlyn Jenner, is a famous trans woman.



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OK to be trans nowadays.” NE#1’s alleged account replied, “I’m very comfortable in my Tran-ieness. Just watch for the Adam’s Apple, it’s a dead giveaway.”

The Twitter Thread also contained a link to a blog post allegedly made by NE#1 reviewing tactical gear and weapons. That Twitter Thread post also pictured someone (purported NE#1) holding a rifle, wearing an Army green short-sleeved t-shirt, sunglasses, and hearing protection. The photo shows the subject’s right side. The link led to a blog post authored by someone with the same name as the Instagram and Facebook accountholders in question.

OPA unsuccessfully attempted to locate the Twitter Thread poster’s contact information to schedule an interview. OPA was also unable to locate the social media accounts the Twitter Thread referenced. Similarly, OPA found no viable contact information for the Twitter Thread poster.

### **ANALYSIS AND CONCLUSIONS:**

#### **Named Employee #1 - Allegation #1**

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

NE#1 allegedly used alias social media accounts to post transphobic images and comments.

SPD policy prohibits biased policing, defined as “the different treatment of any person by officers motivated by any characteristic of protected classes under state, federal, and local laws as well other discernible personal characteristics of an individual.” SPD Policy 5.140-POL. SPD employees are also prohibited from expressing “any prejudice or derogatory comments concerning discernable personal characteristics.” SPD Policy 5.140-POL-2.

Per the City of Seattle Office of Civil Rights, “[a] protected class is a group of people who have a common characteristic and who are legally protected from discrimination based on that characteristic.” The Office of Civil Rights lists gender identity as a protected class.<sup>2</sup> “Transphobia” may refer to an “irrational fear of, aversion to, or discrimination against transgender people.”<sup>3</sup> “Transphobia” may also refer to a broad collection of ideas and/or behaviors that encompass a range of negative attitudes, feelings, or actions towards transgender people.

Here, in each social media post referenced by the Complainant, the accountholder (purportedly NE#1) made comments evidencing bias against transgender people. A prime example was the Facebook accountholder’s use of “trannieness,” apparent wordplay incorporating the accountholder’s last name “Tran” and a pejorative term for transgender people. That accountholder also commented there were “a bazillion Trans out there,” an apparent double entendre referencing those with the last name “Tran” while again jabbing transgender people.

However, OPA was unable to authenticate NE#1 as either accountholder. Moreover, OPA was unable to locate the original posts. While OPA attempted to contact the source of the materials referenced by the Complainant, no contact information for the Twitter Thread poster was located.

Ultimately, there is insufficient evidence to link NE#1 to the social media posts. Accordingly, OPA recommends this allegation be Not Sustained - Inconclusive

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<sup>2</sup> <https://www.seattle.gov/civilrights/civil-rights-enforcement/protected-classes>

<sup>3</sup> <https://www.merriam-webster.com/dictionary/transphobia>



**Seattle**  
Office of Police  
Accountability

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Recommended Finding: **Not Sustained - Inconclusive (Expedited)**