



OFFICE OF PROFESSIONAL ACCOUNTABILITY

Closed Case Summary

Complaint Number OPA#2015-0394

Issued Date: 12/16/2015

Named Employee #1	
Allegation #1	<u>Seattle Police Department Manual</u> 5.001 (9) Professionalism (Policy that was issued 07/16/2014)
OPA Finding	Sustained
Allegation #2	<u>Seattle Police Department Manual</u> 5.001 (12) Employees Shall Not Use Their Position or Authority for Personal Gain (Policy that was issued 07/16/2014)
OPA Finding	Sustained
Allegation #3	<u>Seattle Police Department Manual</u> 5.100 (I.A.) Operations Bureau Individual Responsibilities: Patrol Officers Responsibilities (Policy that was issued 07/20/2010)
OPA Finding	Not Sustained (Inconclusive)
Allegation #4	<u>Seattle Police Department Manual</u> 16.090(6) Employees Will Record Police Activity (Policy that was issued 02/01/2015)
OPA Finding	Sustained
Allegation #5	<u>Seattle Police Department Manual</u> 5.002 (11) Employees Shall Cooperate with Department Internal Investigations (Policy that was issued 01/01/2015)
OPA Finding	Sustained

Allegation #6	<u>Seattle Police Department Manual</u> 5.001 (10) Employees Shall Be Truthful and Complete in All Communications (Policy that was issued 07/16/2014)
OPA Finding	Sustained
Final Discipline	No Discipline, employee retired

INCIDENT SYNOPSIS

The named employee was at a school taking a burglary report when the complainant approached him about car prowls in the neighborhood. The named employee later invited the complainant to go to coffee.

COMPLAINT

The complainant alleged that the named officer hides and sleeps on duty, and that he asked her out for coffee via text message after their police-related contact.

INVESTIGATION

The OPA investigation included the following actions:

1. Review of the complaint email
2. Interview of the complainant
3. Search for In-Car Video
4. Search for and review of all relevant records and other evidence
5. Interview of SPD employees

ANALYSIS AND CONCLUSION

During intake for this complaint, a search was made for the named employee's In-Car Video (ICV) of this and the immediately previous law enforcement contact, but none was found. The OPA Director added allegations for truthfulness and failure to cooperate with an OPA investigation after the named employee's first OPA interview. He provided information about the nature of his contact with the complainant that appears to be in conflict with other available evidence. The evidence showed that the named employee contacted the complainant for coffee and that his subsequent interactions with the complainant were not to build community relations as he portrayed but to pursue a romantic relationship. Department policy prohibits employees from using their position to further their personal interests. During the interviews conducted by OPA, the named employee mischaracterized his communications and stated that the complainant had asked him to join her for coffee. Department policy requires employees to be truthful in all communications. The investigation further demonstrated that the named employee failed to use his In-Car Video recording system on the initial burglary investigation at the school

as well as the subsequent report of car prowls by the complainant. Department policy requires officers to record all law enforcement activity.

FINDINGS

Named Employee #1

Allegation #1

The evidence supports that the named employee violated department policy. Therefore a **Sustained** finding was issued for *Professionalism*.

Allegation #2

The evidence supports that the named employee violated department policy. Therefore a **Sustained** finding was issued for *Employees Shall Not Use Their Position or Authority for Personal Gain*.

Allegation #3

The evidence could not prove nor disprove that the named employee slept in his patrol car while on duty. Therefore a finding of **Not Sustained** (Inconclusive) was issued for *Operations Bureau Individual Responsibilities: Patrol Officers Responsibilities*.

Allegation #4

The evidence supports that the named employee violated department policy. Therefore a **Sustained** finding was issued for *Employees Will Record Police Activity*.

Allegation #5

The evidence supports that the named employee violated department policy. Therefore a **Sustained** finding was issued for *Employees Shall Cooperate with Department Internal Investigations*.

Allegation #6

The evidence supports that the named employee violated department policy. Therefore a **Sustained** finding was issued for *Employees Shall Be Truthful and Complete in All Communications*.

Discipline imposed: No Discipline, employee retired

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.