



## OFFICE OF PROFESSIONAL ACCOUNTABILITY

### Closed Case Summary

Complaint Number OPA#2016-0180

Issued Date: 10/19/2016

Named Employee #1	
Allegation #1	<u>Seattle Police Department Manual</u> 5.001 (5) Standards and Duties: Employees May Use Discretion (Policy that was issued April 1, 2015)
OPA Finding	<b>Not Sustained</b> (Lawful and Proper)
Final Discipline	N/A

Named Employee #2	
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	<b>Not Sustained</b> (Inconclusive)
Allegation #2	<u>Seattle Police Department Manual</u> 5.001 (6) Standards and Duties: Employees Engaged in Department-Related Activities Identify Themselves When Requested (Policy that was issued April 1, 2015)
OPA Finding	<b>Not Sustained</b> (Inconclusive)
Final Discipline	N/A

## **INCIDENT SYNOPSIS**

Named Employee #1 responded to a Crisis call at a hotel, and Named Employee #2 responded as the back-up officer.

## **COMPLAINT**

The complainants alleged that the Named Employees failed to exercise their discretion in preventing an accompanying news crew from entering a location where an individual was in crisis. Additionally, the complainants alleged that Named Employee #1 was discourteous to the individual in crisis, as well as to a fellow employee, in response to a Crisis call for service. It was also alleged that Named Employee #1 failed to provide his name when asked to do so by the subject.

## **INVESTIGATION**

The OPA investigation included the following actions:

1. Review of the complaint email
2. Interview of complainants
3. Review of In-Car Videos (ICV)
4. Search for and review of all relevant records and other evidence
5. Interviews of SPD employees

## **ANALYSIS AND CONCLUSION**

The complainants alleged that Named Employee #1 should not have allowed a television news crew to follow him inside a hotel lobby on a call for a person in crisis. The complainants believed this was not respectful of the privacy of the person in crisis. The preponderance of the evidence from this investigation showed that Named Employee #1 was ordered to cooperate with the news crew as an effort by SPD to educate the public regarding the activities of the SPD. Furthermore, the news crew was not given access to the subject in crisis nor permitted into any area of the hotel that was not a place of public access.

The complainants alleged that Named Employee #2 was not professional in how he spoke about the person in crisis. The preponderance of the evidence from this investigation was insufficient to either prove or disprove this allegation.

The complainants alleged that Named Employee #2 did not identify himself by name and/or serial number when requested. The preponderance of the evidence from this investigation was insufficient to either prove or disprove this allegation.

## **FINDINGS**

### **Named Employee #1**

#### Allegation #1

The preponderance of the evidence showed that Named Employee #1 was ordered to cooperate with the news crew. Therefore a finding of **Not Sustained** (Lawful and Proper) was issued for *Standards and Duties: Employees May Use Discretion*.

### **Named Employee #2**

#### Allegation #1

The preponderance of the evidence was insufficient to either prove or disprove this allegation. Therefore a finding of **Not Sustained** (Inconclusive) was issued for *Standards and Duties: Employees Shall Strive to be Professional at all Times*.

#### Allegation #2

The preponderance of the evidence was insufficient to either prove or disprove this allegation. Therefore a finding of **Not Sustained** (Inconclusive) was issued for *Standards and Duties: Employees Engaged in Department-Related Activities Identify Themselves When Requested*.

*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.*