



## OFFICE OF POLICE ACCOUNTABILITY

### Closed Case Summary

Complaint Number 2017OPA-0690

Issued Date: 02/12/2018

Named Employee #1	
Allegation #1	<u>Seattle Police Department Manual</u> 5.001 (17) Standards and Duties: Employees Must Avoid Conflicts Of Interest (Policy that was issued April 1, 2015)
OPA Finding	<b>Not Sustained</b> (Unfounded)
Allegation #2	<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> (Unfounded)
Final Discipline	N/A

Named Employee #2	
Allegation #1	<u>Seattle Police Department Manual</u> 5.001 (17) Standards and Duties: Employees Must Avoid Conflicts Of Interest (Policy that was issued April 1, 2015)
OPA Finding	<b>Not Sustained</b> (Unfounded)
Allegation #2	<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> (Unfounded)

Final Discipline	N/A
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### **INCIDENT SYNOPSIS**

The Office of Police Accountability received an anonymous complaint regarding the Named Employees.

### **COMPLAINT**

An anonymous complainant alleged that Named Employee #1 was overheard telling FRB staff that he and Named Employee #2 were accessing OPA restricted files.

### **INVESTIGATION**

The OPA investigation included the following actions:

1. Review of the complaint
2. Search for and review of all relevant records and other evidence
3. Interviews of SPD employees

### **ANALYSIS AND CONCLUSION**

The gravamen of this allegation was that the Named Employees inappropriately accessed OPA restricted files. During their OPA interviews, both Named Employees denied engaging in such conduct. There was no evidence in the record suggesting the contrary.

This allegation was classified based on the anonymous complainant's allegation that Named Employee #1 was heard telling Force Review Board (FRB) staff that he and Named Employee #2 were accessing OPA restricted files.

As a general matter, both Named Employees did in fact have access to OPA restricted files, so long as those files are accessed appropriately. For this reason, to the extent the Named Employees told their colleagues in the FRB that they accessed such files, this could have been a completely accurate and benign statement.

At their OPA interviews, both Named Employees denied bragging or boasting about such access. OPA further interviewed a number of the Named Employees' colleagues at the FRB, all who similarly denied hearing the Named Employees brag or boast about their access to restricted OPA files.

Based on the above, the OPA Director found no evidence indicating that the Named Employees engaged in unprofessional conduct in this instance.

## **FINDINGS**

### **Named Employees #1 and #2**

#### Allegation #1

A preponderance of the evidence showed that the Named Employees did not violate this policy. Therefore a finding of **Not Sustained** (Unfounded) was issued for *Standards and Duties: Employees Must Avoid Conflicts Of Interest*.

#### Allegation #2

There was no evidence indicating that the Named Employees engaged in unprofessional conduct in this instance. Therefore a finding of **Not Sustained** (Unfounded) was issued for *Standards and Duties: Employees Shall Strive to be Professional at all Times*.

*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.*