



CLOSED CASE SUMMARY

ISSUED DATE: NOVEMBER 16, 2018

CASE NUMBER: 2018OPA-0485

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	Not Sustained (Unfounded)

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 that the Named Employee engaged in unprofessional behavior towards her.

ANALYSIS AND CONCLUSIONS:

Named Employee #1 - Allegations #1

5.001 - Standards and Duties 10. Employees Shall Strive to be Professional

The Complainant alleged that Named Employee #1 (NE#1) called the Complainant’s boyfriend a racial slur. The Complainant also alleged that NE#1 called her fat. The screening Sergeant reviewed the Body Worn Video (BWV) and found no indication that NE#1 made either statement. Moreover, the Sergeant interviewed the Complainant’s boyfriend who denied hearing the statement. However, the Sergeant referred this matter to OPA and this investigation ensued.

SPD Policy 5.001-POL-9 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.” (SPD Policy 5.001-POL-9.) The policy further states the following: “Any time employees represent the Department or identify themselves as police officers or Department employees, they will not use profanity directed as an insult or any language that is derogatory, contemptuous, or disrespectful toward any person.” (*Id.*)

If NE#1 made the statements alleged by the Complainant, this would have constituted unprofessional behavior. However, the objective evidence in this case – most notably, the BWV – establishes that NE#1 did not do so. As such, OPA deems the Complainant’s claim to be frivolous and recommends that this allegation be Not Sustained – Unfounded.

Recommended Finding: **Not Sustained (Unfounded)**