



CLOSED CASE SUMMARY

ISSUED DATE: MAY 9, 2019

CASE NUMBER: 2018OPA-1091

Allegations of Misconduct & Director’s Findings

Named Employee #1

Allegation(s):		Director’s Findings
# 1	5.170 - Alcohol and Substance Use 1. Employees Shall not Report for Duty Under the Influence of any Intoxicant	Not Sustained (Unfounded)
# 2	5.170 - Alcohol and Substance Use 2. Employees Shall not Consume Intoxicants in any Department-Operated Facilities or Police Vehicles	Not Sustained (Unfounded)
# 3	5.170 - Alcohol and Substance Use 4. Employees Shall Not Consume Intoxicating Beverages While Wearing any Recognizable Part of the SPD Uniform	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:

It was alleged that the Named Employee may have come to work while intoxicated.

ANALYSIS AND CONCLUSIONS:

Named Employee #1 - Allegations #1

5.170 - Alcohol and Substance Use 1. Employees Shall not Report for Duty Under the Influence of any Intoxicant

OPA received an anonymous complaint in which it was alleged that Named Employee #1 (NE#1) reported to work while intoxicated. The anonymous Complainant stated that this conduct occurred at around 2:00 a.m. on the date in question. NE#1 is a School Resource Officer (SRO). In this capacity, she works daytime hours. Moreover, based on OPA’s review, there was no indication that she worked on the alleged date.

As part of its investigation, OPA interviewed NE#1. She denied ever reporting to work while intoxicated. She speculated that a former co-worker initiated this complaint in order to undermine her application to lateral to another law enforcement agency.

OPA further interviewed NE#1’s Sergeant. He stated that he never observed NE#1 report to work while intoxicated or ever received any information indicating that she had engaged in such conduct. Lastly, OPA interviewed another SRO who worked with NE#1. He, like the Sergeant, denied that NE#1 ever reported to work while intoxicated. He stated that they worked together daily and were frequently around each other.



If NE#1 reported to work while intoxicated, that conduct would violate multiple Department policies, including: SPD Policy 5.170-POL-1; 5.170-POL-2; and SPD Policy 5.170-POL-4. However, there is absolutely no evidence supporting a finding that she did so on the date alleged or, for that matter, on any other date. As such, I recommend that all of the allegations against NE#1 in this case be Not Sustained – Unfounded.

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

Named Employee #1 - Allegation #2

5.170 - Alcohol and Substance Use 2. Employees Shall not Consume Intoxicants in any Department-Operated Facilities or Police Vehicles

For the same reasons as stated above (see Named Employee #1, Allegation #1), I recommend that this allegation be Not Sustained – Unfounded.

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

Named Employee #1 - Allegation #3

5.170 - Alcohol and Substance Use 4. Employees Shall Not Consume Intoxicating Beverages While Wearing any Recognizable Part of the SPD Uniform

For the same reasons as stated above (see Named Employee #1, Allegation #1), I recommend that this allegation be Not Sustained – Unfounded.

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