



CLOSED CASE SUMMARY

ISSUED DATE: SEPTEMBER 4, 2019

CASE NUMBER: 2019OPA-0188

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 was unprofessional during his arrest by being rude and making fun of him.

ADMINISTRATIVE NOTE:

This case was designated as an Expedited Investigation. This means that OPA, with the Office of Inspector General’s review and approval, believed that it could reach and issue recommended findings based solely on its intake investigation and without interviewing the Named Employee. As such, the Named Employee was not interviewed as part of this case.

During its intake investigation, OPA identified that a Sergeant may have failed to document and report potential serious misconduct. This was handled by the Sergeant’s chain of command as a Supervisor Action.

ANALYSIS AND CONCLUSIONS:

Named Employee #1 - Allegations #1

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

Named Employee #1 (NE#1) and his partner were working uniformed patrol when they observed the Complainant. The officers documented that they knew the Complainant’s name from multiple previous arrests and contacts in the Lake City area of Seattle. After running the Complainant’s name through law enforcement databases, they discovered that had an outstanding warrant for his arrest. The officers detained and arrested the Complainant after his warrant was verified via SPD radio. The officers documented that the Complainant was arrested without incident and booked into King County Jail.

The Complainant later alleged that NE#1 “treated him poorly,” was rude to him, and made fun of him. This matter was referred to OPA and this investigation ensued.



OPA made multiple attempts to interview the Complainant, but these were ultimately unsuccessful. Thus, the Complainant was not interviewed as part of this investigation. OPA further reviewed the Body Worn Video (BWV) associated with this incident. The BWV was consistent with what was reported by the officers.

SPD Policy 5.001-POL-10 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.” 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.*)

Based on OPA’s review of the BWV, there is insufficient evidence to determine that NE#1 engaged in unprofessional behavior toward the Complainant. To the contrary, NE#1 appeared to treat the Complainant appropriately and consistent with policy during their interaction. For these reasons, I recommend that this allegation be Not Sustained – Unfounded.

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