



# Seattle Office of Police Accountability

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January 17, 2020

Chief Carmen Best  
Seattle Police Department  
PO Box 34986  
Seattle, WA 98124-4986

Dear Chief Best:

Please see the below Management Action Recommendation.

## Case Number

- 2019OPA-0383 / 2020COMP-0002

## Topic

- Employee Wellness

## Summary

- It was alleged that the Named Employee violated Department policy by failing to immediately report his belief that the Subject officer was intoxicated on duty.

## Analysis

- *SPD Policy 5.002-POL-6* states: “Employees will report any alleged serious violations to a supervisor or directly to OPA.” The policy further requires that “[e]mployees who witness or learn of a violation of public trust [...] will take action to prevent aggravation of the incident or loss of evidence that could prove or disprove the allegation.” Lastly, the policy states: “Any employee who observes another employee engaged in dangerous or criminal conduct or abuse will take reasonable action to intervene.”
- The Named Employee confronted the Subject officer twice on the day in question about his belief that the Subject officer was intoxicated and offered the Subject officer a ride home. Three days later, the Named Employee confronted the Subject officer once more before ultimately reporting the incident to a supervisor. In the interim, the Named Employee sought alternative ways to help the Subject officer, including reaching out to SPD Peer Support and Code 4 Northwest.
- In this case, the evidence of the misconduct was perishable and there was a time constraint on reporting the alleged policy violation to prevent a loss of evidence. By failing to immediately report potential serious misconduct, no supervisor was able to conduct a timely fit-for-duty exam to determine if the Subject officer was impaired while on duty.
- The Named Employee’s actions constitute a clear policy violation, and OPA recognizes the substantial danger that an intoxicated officer could pose to the community. However, in this specific circumstance, OPA believes that punishing the Named Employee for failing to immediately report potential misconduct does not address the larger issue of how the Department will approach substance abuse and mental illness among its employees. OPA further does not believe that discipline in this case will result in more officers reporting and, instead, is concerned that it will have the opposite result.



**Recommendation(s)**

- Evaluate less punitive methods of addressing employee addiction and mental illness to encourage officers to report such issues to the Department and seek out Department and City resources and care. Emphasize the Department and OPA's commitment to a compassionate and treatment-focused harm reduction model. Consider utilizing the Wellness unit in collaboration with OPA to achieve these results.

Thank you for your consideration of this matter. I look forward to your response.

Sincerely,

*AM*

Andrew Myerberg  
Director, Office of Police Accountability