



CLOSED CASE SUMMARY

ISSUED DATE: FEBRUARY 23, 2022

FROM: INTERIM DIRECTOR GRAINNE PERKINS
OFFICE OF POLICE ACCOUNTABILITY

CASE NUMBER: 2021OPA-0419

Allegations of Misconduct & Director’s Findings

Named Employee #1

Allegation(s):		Director’s Findings
# 1	5.001 - Standards and Duties Employees 10. Will Strive to be Professional	Not Sustained (Unfounded)
# 2	5.001 - Standards and Duties 14. Retaliation is prohibited	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 had harassed him, threatened him with physical harm, and threatened to “plant evidence” to get the Complainant arrested in order to rekindle a relationship that the Named Employee had with the Complainant's girlfriend.

SUMMARY OF INVESTIGATION:

In the initial complaint received by OPA, the Complainant named an SPD officer attached to the K9 unit and alleged that he was corrupt. He alleged that this corruption involved threats to him so that the Named Employee (NE#1) could rekindle his relationship with the Complainant’s girlfriend.

OPA’s preliminary investigation determined that the SPD officer named by the Complainant does not serve as a K9 officer. Moreover, there are no officers in the K9 unit—or even in that relevant Precinct—that match the name given by the Complainant. The Complainant described NE#1 as a White male, 6’, with a southern accent. The Complainant stated that NE#1 came up here from El Paso, Texas and had a K9 named “Sparky.” The Complainant alleged that that NE#1 drove a light blue car. Although OPA determined that there is an SPD officer with the name given by the Complainant, this officer works in a different Precinct, is African American, and does not have a Southern accent. Employee Data systems do not show an officer with the name provided by the Complainant, or a dog named “Sparky” in SPD’s K9 unit. Moreover, the Complainant stated that NE#1 could work for either SPD or the King County Sheriff’s Office. For these reasons—and because the name provided by the Complainant is not particularly unique—OPA did not classify these allegations against the SPD employee who shared the name provided by the Complainant.

The Complainant’s girlfriend, Community Member #1 (CM#1) was interviewed as part of this investigation. CM#1 stated that she was in a “past relationship” with the Complainant and that he had a history of mental health issues. CM#1 explained that the Complainant had mentioned the Named Employee to her but that she did not know where



the Complainant sourced the name provided by the Complainant. CM#1 stated that she had never dated a police officer. CM#1 had never witnessed the Complainant being chased by NE#1 and K9 as he had alleged.

A review of all calls made by the Complainant to SPD indicated that he has a history of making complaints relating to allegations of people “listening in,” “spying,” and tracking his movements via phone. There were no associated reports for the name provided by the Complainant, nor attendance by a K9 unit to any associated incident. During his interviews with OPA, the Complainant relayed a specific date where he was allegedly chased around Shoreline Community College by NE#1. A GPS search was done for 7/22, 7/23, 7/24, and 7/25/2021 from 1200-1700 each day. There were no SPD officers mapping to Shoreline Community College. OPA also made enquires with the director of Safety and Security at Shoreline Community College about the alleged Incident. No footage was available and none of the staff recalled, or has a log of, such an occurrence.

No portion of what the Complainant alleged—other than a relatively common name—matches that of an SPD officer. When questioned about some of these discrepancies, the Complainant stated that he may have been given the wrong name by CM#1.

ANALYSIS AND CONCLUSIONS:

Named Employee #1 - Allegation #1

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

The Complainant alleged that NE#1 was unprofessional.

SPD Policy 5.001-POL-10 requires that SPD employees “strive to be professional.” The policy further instructs that “employees may not engage in behavior that undermines public trust in the Department, the officer, or other officers” whether on or off duty. (SPD Policy 5.001-POL-10.) 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.*) Lastly, the policy instructs Department employees to “avoid unnecessary escalation of events even if those events do not end in reportable uses of force.” (*Id.*)

The facts are as stated in the Summary of Investigation. No SPD officers match the description provided by the Complainant, even if SPD does employ an officer who bears the same, relatively commonplace name. None of the information provided by the Complainant could be verified or indeed supported by witness statements, specifically CM#1.

Accordingly, OPA recommends that this allegation be Not Sustained (Unfounded).

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

Named Employee #1 - Allegation #2

5.001 - Standards and Duties 14. Retaliation is prohibited

The Complainant alleged that NE#1 retaliated against him.



SPD policy precludes its employees from engaging in retaliation. (SPD Policy 5.001-POL-14.) SPD employees are specifically prohibited from retaliating against a person who engage in activities including, but not limited to, “oppos[ing] any practice that is reasonably believed to be unlawful or in violation of Department policy” or “who otherwise engages in lawful behavior.” (*Id.*) Retaliatory acts are defined broadly under SPD’s policy and include “discouragement, intimidation, coercion, or adverse action against any person. (*Id.*)

For the same reasons outlined in Named Employee#1, Allegation #1, OPA recommends that this allegation be Not Sustained (Unfounded).

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