



## ***CLOSED CASE SUMMARY***

ISSUED DATE: JULY 15, 2022

FROM: INTERIM DIRECTOR GRÁINNE PERKINS  
OFFICE OF POLICE ACCOUNTABILITY

CASE NUMBER: 2021OPA-0556

### **Allegations of Misconduct & Director's Findings**

Named Employee #1

Allegation(s):		Director's Findings
# 1	5.001 - Standards and Duties 10. Employees Will Strive to be Professional	Not Sustained - Training Referral
# 2	12.040-POL-3-Using Department Devices 2. Employees Use Devices in a Professional Manner	Allegation Removed

***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 Named Employee #1 (NE#1) made an unprofessional comment about a Community member via the Computer Aided Design (CAD) system.

### **SUMMARY OF INVESTIGATION:**

OPA received an anonymous complaint to the effect that the CAD messaging system was used by NE#1 to make a "grossly inappropriate comment." The West Dispatcher initially made a comment on the CAD that it was unusual for a massage parlor to be open at 1am. NE#1 then made a "grossly inappropriate comment", referring to the parlor employee as a "whore". This was captured in written text within the CAD. OPA noted that the message [COUGHWHORE COUPH (SIC)] from NE#1 was not responded to by the West Dispatcher.

OPA commenced an investigation and reviewed the (CAD) Call Report and the associated units on the call. OPA interviewed the management system analyst in Human Resources as a witness, Witness Employee #1 (WE#1). WE#1 explained to OPA that the message from NE#1 to the West Dispatcher (WD) was sent terminal to terminal, and the message would not typically be viewed by anyone else unless the WD reported it a supervisor. OPA subsequently interviewed NE#1.

### **ANALYSIS AND CONCLUSIONS:**

#### **Named Employee #1 - Allegation #1**

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

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.)

During interview, NE#1 readily admitted that the message that he wrote message was not appropriate nor professional and was not within the guidelines of SPD Policy. By way of explanation, as opposed to excuse, NE#1 stated that was not referring to anyone in particular but was referring to the situation. NE#1 further added that his message was “a slide of mouth”.

OPA appreciates the candid manner in which NE#1 accepted responsibility for his actions in this complaint. OPA has no reason to not believe NE#1’s explanation that the comment was not intentionally directed at a specific person, but a more of a commentary on the situation itself. However, the derogatory nature and negative stigma that is created by such comments, in OPA’s opinion, should not be ignored. Indeed, the complainant expressed concerns over the impact of such dismissive comments on how police then deal with potential sex workers or trafficked victims.

NE#1 is a seasoned officer and also has experience in Dispatch. NE#1 has no prior sustained complaints relating to Professionalism. As such, OPA believes that on this occasion this complaint may be best addressed through a training referral.

- **Training Referral:** NE#1’s chain of command should discuss OPA’s findings with NE#1, review SPD Policy 5.001-POL-10 with NE#2 and provide any further retraining and counseling that it deems appropriate. Specifically, NE#1 should be reminded of how such responses can create negative stigma and bias about sex workers and individuals in the massage parlor industry. The retraining and counseling conducted should be documented, and this documentation should be maintained in Blue Team.

Recommended Finding: **Not Sustained - Training Referral**

#### **Named Employee #1 - Allegation #2**

##### **12.040-POL-3-Using Department Devices 2. Employees Use Devices in a Professional Manner**

SPD Policy 12.040-POL-1 states that employees using Department-owned devices or software will follow the City’s security policy. The policy goes on to state that employees will protect passwords, maintain confidentiality of sensitive information, accept accountability for use of their network accounts and access privileges, ensure that use of City devices is restricted to authorized purposes, and other requirements. *Id.*

NE#1 took responsibility that the message was not appropriate nor professional and the sending of message was not within the guidelines of SPD Policy. OPA believes that the elements of this allegation are subsumed under the allegations of #1, professionalism. As such, this allegation is removed.

Recommended Finding: **Allegation Removed**