



CLOSED CASE SUMMARY

ISSUED DATE: APRIL 14, 2024

FROM: DEPUTY DIRECTOR BONNIE GLENN ON BEHALF OF DIRECTOR GINO BETTS JR.,
OFFICE OF POLICE ACCOUNTABILITY

CASE NUMBER: 2023OPA-0431

Allegations of Misconduct & Director's Findings

Named Employee #1

Allegation(s):		Director's Findings
# 1	5.001 – Standards and Duties, 5.001-POL-10. Employees Will Strive to be Professional	Not Sustained - Unfounded
# 2	1.110 – Public Information, 1.110-POL-1 General Policy, 2. Except as May Otherwise Be Authorized by the Chief of Police or His or Her Designee, Employees Shall Not Release Information to the Media or Related Outlets Other Than as Prescribed by This Policy	Not Sustained - Inconclusive

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) spread a rumor and spoke to the media about Witness Employee #1 (WE#1) having an affair with Witness Employee #4 (WE#4)—SPD's chief of police. It was also alleged that NE#1 unlawfully surveilled WE#1's apartment.

ADMINISTRATIVE NOTE:

The Seattle Police Department's Equal Employment Opportunity (EEO) investigator processes allegations of discrimination, harassment, and retaliation for bringing or participating in an EEO investigation. EEO investigated¹ Witness Employee #3 (WE#3), accused of harassing WE#1 by spreading the same salacious rumor. EEO preliminarily investigated harassment allegations against NE#1 but declined further investigation. OPA's investigation covered the broader misconduct allegations against NE#1, like spreading an affair rumor, unauthorized media contact, and surveilling WE#1.

On February 6, 2024, OPA received an anonymous complaint alleging that WE#4 engaged in "unethical behavior," including an "inappropriate relationship with [WE#1]." OPA opened an intake investigation: 2024OPA-0075.

On March 20, 2024, the Office of Inspector General certified OPA's investigation as thorough, timely, and objective.

¹ 2023EEO-0013.



SUMMARY OF INVESTIGATION:

In September 2023, an anonymous OPA complaint accused NE#1 of spreading a rumor that WE#1 was having an affair with WE#4. It also alleged that NE#1 spoke with media outlets about the rumor and unlawfully surveilled WE#1's apartment.

OPA investigated the complaint, reviewing email correspondence, EEO interviews, email records, and documents supplied by NE#1. OPA also interviewed WE#1 and NE#1.

On October 2, 2023, Witness Employee #2 (WE#2)—SPD's employee relations and EEO manager—sent OPA transcripts of her EEO interviews concerning related allegations against WE#3. WE#2 interviewed WE#1 and WE#3. WE#2 wrote that the interviews covered WE#3's involvement in spreading the rumor, NE#1's and WE#3's communications about WE#1, and WE#3 contacting media outlets about WE#1. WE#2 noted that there was no EEO investigation against NE#1 because "there was no direct allegation that [NE#1] harassed [WE#1] herself, nor that she conducted any surveillance of [WE#1] herself, nor that she had released information to the media." WE#2 also stated that she reviewed NE#1's SPD email account "for the period [of] [February 1, 2023] to [July 12, 2023], and nothing useful was found."

EEO Interviews

On July 11, 2023, WE#2 interviewed WE#3. WE#3 worked in SPD's public affairs unit. WE#3 said that before joining SPD, he and WE#1 worked at the same media outlet. WE#3 also described a working relationship, primarily discussing newsworthy topics concerning SPD, with NE#1—an SPD public information officer—before and throughout his SPD hiring process. WE#3 said he and NE#1 communicated for roughly two and a half years without meeting in person. After WE#3's hiring, WE#3 said he and NE#1 met at a coffee shop near the West Precinct. WE#3 said they had a "very, very quick conversation," minimally discussing WE#1's—later hired as SPD's chief of staff—and WE#4's rumored affair. Specifically, WE#3 recalled NE#1 saying that West Precinct officers saw WE#4 being dropped off or picked up by someone driving a car similar to WE#1's.

On August 16, 2023, WE#2 re-interviewed WE#3, delving further into WE#3's and NE#1's coffee shop conversation. WE#3 said he did not recall how the rumored affair came up but remembered NE#1 saying gossip about it was "[starting] to spin up around the West Precinct." WE#3 also said that NE#1 mentioned that West Precinct officers reportedly saw WE#1 and WE#4 "around town without [WE#4's] detail," describing it as odd "since some of it was also taking place after hours." WE#3 said he called the rumors "[WE#1's first name] gate." WE#3 denied that NE#1 was "fishing for [information]" about WE#1 and WE#4, describing their conversation as "two friends trying to catch up because we finally got to meet each other for the first time...just catching up and talking about whatever came to mind." In response to NE#1 relaying West Precinct gossip that WE#4 was seen in a particular car and leaving an apartment complex near the West Precinct, WE#3 said he may have told NE#1 that WE#1 drove a similar car and lived in a building near the West Precinct.

On August 28, 2023, WE#2 interviewed WE#1. WE#1 said that before she joined SPD, a reporter told her about the rumor and that officers were tracking her whereabouts. WE#1 described the rumor as unequivocally false and its impact on her:



Personally, it feels like sexual harassment. I've never experienced something like this in my entire twenty-year TV career, right? ... starting work felt hostile ...having a reporter tell you that you're being surveilled by actual police officers. That's also very uncomfortable when you're female and you live alone. And then you have to go into work where people are also spreading lies about you...it feels hostile, and it's undoubtedly...sexual harassment, and I still can't wrap my head around even why something like that would, you know what I mean, why [WE#3] would want to be a part of something like this.

WE#1 said she spoke with WE#3 in June 2023, when WE#3 cryingly apologized, saying, "I'm really sorry I've been a jerk to you" and "I have been not only spreading this rumor about you...but also adding to it." WE1 said WE#3 indicated that spreading the rumor made him feel "special" and "in the know of something." WE#1 also said that WE#3 admitted to spreading the rumor to groups ranging "from reporters to police officers." WE#1 did not mention NE#1 during that interview.

OPA Interviews

On November 1, 2023, OPA interviewed WE#1. WE#1 did not believe that NE#1 surveilled her but acknowledged hearing generic rumors about officers surveilling her. WE#1 said WE#3 never mentioned NE#1 surveilling WE#1 during their conversation. WE#1 denied knowing whether NE#1 played a role in starting or spreading the rumor. WE#1 said WE#3 told her that he and NE#1 discussed where WE#1 lived, the car she drove, and speculated why WE#1 joined SPD and her relationship with WE#4. WE#1 told OPA that WE#3 was the only person she knew to associate NE#1 with the rumor.

On December 6, 2023, OPA interviewed NE#1. NE#1 said she worked in SPD's media unit during the period in question. NE#1 said she heard about the rumored affair but denied spreading it or knowing its source. NE#1 admitted to discussing it with colleagues, including WE#3, and outside SPD. NE#1 said her discussions were limited to the rumor being "disappointing" if true. NE#1 said she may have discussed the rumor with a friend in television media but denied discussing it in detail. Moreover, NE#1 said her friend's media outlet "has [never] covered any of these rumors." NE#1 also denied surveilling WE#1.

During her initial OPA interview, NE#1 mentioned having documents concerning the rumor. NE#1 later provided those documents to OPA, including EEO records, news articles covering the rumor, and her notes². Generally, NE#1's notes documented purported occurrences she believed established that WE#1 and WE#4 "had more than a professional relationship prior to [WE#1] working at the department."

ANALYSIS AND CONCLUSIONS:

Named Employee #1 – Allegation #1

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

The Complainant alleged that NE#1 spread a false rumor about WE#1 and WE#4 having an affair and unlawfully surveilled WE#1's home.

² NE#1 said she took notes documenting workplace mistreatment.



SPD employees must “strive to be professional.” SPD Policy 5.001-POL-10. Further, “employees may not engage in behavior that undermines public trust in the Department, the officer, or other officers,” whether on or off duty. *Id.*

While NE#1 admittedly spoke about the rumored affair, there is insufficient evidence that she initiated or propagated it. By all accounts, the rumor was widespread and covered by traditional and social media.³ While entertaining gossip is not conducive to a healthy workplace, holding NE#1 singularly accountable for a pervasive rumor when there is insufficient evidence that she was responsible for it or played a significant role in spreading it would constitute selective enforcement.

Moreover, OPA found no evidence that NE#1 surveilled WE#1. WE#1 believed the allegation was untrue, and NE#1 denied it. Although WE#1 heard a rumor about police officers surveilling her, if true, there was no indication that NE#1 was involved. Personal details that NE#1 learned about WE#1, like the color and make of WE#1’s car and the vicinity of her home, came from WE#3 rather than NE#1’s surveillance.

Further, while NE#1 gave OPA documents she made or kept concerning the rumor, they did not establish that she followed or surveilled WE#1. NE#1’s documents included records from WE#2’s EEO investigation into WE#3 and her purported observations, like seeing WE#4 at the West Precinct “at odd hours” and secondhand gossip about WE#1 and WE#4 traveling together. Ultimately, OPA cannot conclude that NE#1’s notes violated SPD’s professionalism policy, regardless of her motivation for taking them.

Accordingly, OPA recommends this allegation be Not Sustained – Unfounded.

Recommended Finding: **Not Sustained - Unfounded**

Named Employee #1 – Allegation #2

1.110 – Public Information, 1.110-POL-1 General Policy, 2. Except as May Otherwise Be Authorized by the Chief of Police or His or Her Designee, Employees Shall Not Release Information to the Media or Related Outlets Other Than as Prescribed by This Policy

The Complainant alleged that NE#1 released information concerning the rumor to the media without authorization.

Unless authorized by the chief of police or his or her designee, employees shall not release information to the media or related outlets other than as prescribed by policy. SPD Policy 1.110-POL-1(2).

Like WE#2’s EEO investigation, after searching SPD email accounts, OPA found no email correspondence with a media outlet concerning the rumored affair. WE#3 told WE#2 that he “definitively did divulge” the rumored affair to at least one media member and said none suggested that NE#1 also spoke with them about it. NE#1 acknowledged speaking with a friend who happened to be in television media about the rumored affair but denied releasing details or her friend covering the story. Similarly, NE#1 acknowledged contacting another media member who did cover the rumor but denied providing that reporter with information. She said she contacted that reporter to request information rather than release it.

³ WE#1 told WE#2 about a Facebook group’s post with her and WE#4’s picture containing a salacious title.



Overall, the only indication that NE#1 released information to the media or “[contacted] media sources to damage [WE#1]” came from an anonymous complaint. OPA could not interview the anonymous Complainant to probe for details, and NE#1 vehemently denied “releasing details of anything.” Therefore, there is insufficient evidence to sustain this allegation.

Accordingly, OPA recommends this allegation be Not Sustained – Inconclusive.

Recommended Finding: **Not Sustained - Inconclusive**