



## ***CLOSED CASE SUMMARY***

ISSUED DATE: APRIL 30, 2024

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

CASE NUMBER: 2023OPA-0501

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

#### **Named Employee #1**

Allegation(s):		Director's Findings
# 1	5.001-POL 11. Employees Will Be Truthful and Complete in All Communication	Not Sustained - Inconclusive
# 2	5.001 - Standards and Duties POL-10. Employees Will Strive to be Professional.	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:**

The Complainant alleged Named Employee #1 (NE#1), an unknown employee, lied to them regarding the employment status of a police officer. The Complainant alleged NE#1's lie caused them to lose trust in SPD.

#### **ADMINISTRATIVE NOTE:**

On March 13, 2023, OIG certified OPA's investigation as thorough, timely, and objective.

#### **SUMMARY OF INVESTIGATION:**

The Complainant filed a web-based complaint on November 3, 2023. The Complainant wrote they called SPD to inquire about the employment status of a police officer involved in a high-profile case. The Complainant wrote they were told the police officer was "on leave," when the officer was, in fact, "reassigned to non operational position." The Complainant wrote the call-taker NE#1, "intentionally misrepresented this fact in an attempt to minimize my concerns." The Complainant stated this caused them to lose public trust in SPD.

OPA investigated this complaint, reviewing the OPA Complaint and SPD Employee Move Tracking (EMT) system. OPA also corresponded with the Complainant by email and interviewed five civilian witness employees.

In email correspondence to OPA, the Complainant provided the date and time of their phone call. The Complainant provided the phone number they called, which was the office line for the Chief of Police. The Complainant wrote they did not know the name of NE#1 but described their voice as "feminine."

OPA identified six female employees who could have answered the Chief's office line. Five were interviewed. The sixth provided OPA written documentation establishing she was on leave and not working on the date the Complainant called.

Witness Employee #1 (WE#1) stated she was working on the date and time the Complainant called. WE#1 stated she had no recollection of speaking with the Complainant specifically but recalled talking with callers about the police



officer. WE#1 stated she would not normally know the status of an individual officer, nor did she recall telling anyone that the officer was “on leave.” WE#1 noted, “I wouldn’t say anything like that without clarification.” WE#1 stated other people answer the Chief’s office line, naming the other employees OPA had identified.

Witness Employee #2 (WE#2) provided her regular work schedule. The day the Complainant called was a workday for WE#2, but one she typically does work outside the office. WE#2 stated she did not believe she answered the Chief’s office line during the month the Complainant called. WE#2 stated she did not recall speaking with the Complainant, nor did she recall answering questions concerning the police officer. WE#2 identified WE#1 and Witness Employee #5 (WE#5) as other individuals who answer the Chief’s office line.

Witness Employee #3 (WE#3) described her usual work schedule. WE#3 does not typically work on the day of the week the Complainant called. WE#3 also stated she does not normally answer calls for the Chief as she works directly for a different member of command staff. WE#3 stated she does not answer the phone line the Complainant called. WE#3 identified WE#1 or WE#5 as the staff members who answer that phone line. WE#3 stated she did not recall speaking to the Complainant, nor did she recall answering questions concerning the police officer. WE#3 did recall hearing WE#1 answering questions about the police officer, but she did not remember hearing WE#1 state the officer was on “administrative leave.”

Witness Employee #4 (WE#4). WE#4 described her regular work schedule. The date the Complainant called was a regular workday for her, but one she would have been working from home. WE#4 stated she does not usually answer calls for the Chief as she works directly for a different member of command staff. WE#4 stated she does not answer the phone line the Complainant called. WE#4 identified WE#1 and WE#5 as people who might answer that line, adding the possibility that WE#2 may also answer that line. WE#4 did not recall speaking with the Complainant, nor did she recall answering questions concerning the police officer.

WE#5 was working in the office at the date and time the Complainant called. WE#5 said she does not usually answer phone calls in the Chief’s office, stating WE#1 typically answers the calls to the line the Complainant called. WE#5 also identified WE#2, WE#3, WE#4, and the sixth employee (who was on documented leave) as individuals who might answer that phone line.

### **ANALYSIS AND CONCLUSIONS:**

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

##### ***5.001-POL 11. Employees Will Be Truthful and Complete in All Communication***

The Complainant alleged that NE#1 lied about the employment status of the police officer.

SPD Policy 5.001-POL-11 requires Department employees to be truthful and complete in all communications.

This allegation is inconclusive. The Complainant’s phone call was not recorded and OPA could not identify the other party to this conversation. As such, OPA cannot determine the exact context or wording of this phone call. Even if the call-taker provided erroneous information, there is no evidence that such a misstatement was made intentionally as opposed to mistakenly. Also, WE#1 was the only potential employee who recalled answering questions concerning the police officer. WE#1 did not recall discussing the officer’s duty status with any caller and, in any event, would have asked someone higher than her about that “sensitive” information before discussing it.



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

Recommended Finding: **Not Sustained - Inconclusive**

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

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

The Complainant alleged that NE#1's false information caused them to lose trust in the Department.

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.

It is possible that making a false statement—even if made unintentionally—could undermine public trust and violate SPD's professionalism policy. However, for the same reasons stated above at Named Employee #1, Allegation #1, OPA was unable to establish the wording and context of the alleged conversation and, also, could not identify the employee who allegedly spoke to the Complainant.

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

Recommended Finding: **Not Sustained - Inconclusive**