




CLOSED CASE SUMMARY

ISSUED DATE: SEPTEMBER 16, 2024

FROM: DIRECTOR GINO BETTS, JR. 
OFFICE OF POLICE ACCOUNTABILITY

CASE NUMBER: 2023OPA-0523

Allegations of Misconduct & Director's Findings

Named Employee #1

Allegation(s):		Director's Findings
# 1	4.020 Reporting and Recording Overtime/Out of Classification Pay, 4.020-POL-1 Civilians, Officers, Detectives, Sergeants, and Lieutenants, 3. Employee Work-Hour Maximums.	Sustained
Proposed Discipline		
Twenty-Seven Hours (3 Days) to Forty-Five Hours (5 Days) Suspension		
Imposed Discipline		
90 Hours (10 Days) Suspension		

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.

ADMINISTRATIVE NOTE ON PROPOSED FINDINGS:

When the OPA Director recommends a sustained finding for one or more allegations, a discipline committee, including the named employee's chain of command and the department's human resources representative, convenes and may propose a range of disciplinary to the Chief of Police. While OPA is part of the discipline committee, the Chief of Police decides the imposed discipline, if any. See OPA Internal Operations and Training Manual section 7.3 – Sustained Findings.

EXECUTIVE SUMMARY:

The Complainant alleged that Named Employee #1 (NE#1) worked 133 hours in one week, violating the Department's 90-hour-per-week maximum.

ADMINISTRATIVE NOTE:

On April 22, 2024, the Office of Inspector General certified this investigation as thorough, timely, and objective.

SUMMARY OF INVESTIGATION:

The Complainant, an SPD lieutenant, filed an OPA complaint alleging that NE #1 "worked more than the 90-hour limit from 11/11/23 to 11/18/23 in violation of SPD Policy 4.020."

OPA investigated the complaint by reviewing NE#1's timesheets and interviewing NE#1.

NE#1's timesheet showed he worked 133 hours from Saturday, November 11, 2023, through Saturday, November 18, 2023:

- **November 11:** 10 hours regular time



- **November 12:** 10 hours regular time + 9 hours overtime
- **November 13:** 10 hours regular time + 9 hours overtime
- **November 14:** 10 hours regular time + 9 hours overtime
- **November 15:** 9 hours overtime (shift 1) + 10 hours overtime (shift 2)
- **November 16:** 9 hours overtime (shift 1) + 10 hours overtime (shift 2)
- **November 17:** 9 hours overtime (shift 1) + 10 hours overtime (shift 2)
- **November 18:** 9 hours overtime + 10 hours vacation

In total, NE#1 worked 40 hours of regular time, 93 hours of overtime, and 10 hours of vacation time—which, under SPD’s policy, does not count towards the 90-hour maximum.

In his OPA interview, NE#1 admitted violating SPD’s work limit policy. NE#1 did not recall the exact number of hours he worked during the week in question but described working 10-hour patrol shifts, followed by 9-hour overtime patrol shifts, at least five times that week. NE#1 said he likely worked over 100 hours:

The only thing I would add is [that my work] assisted the precinct with trying to get close to reaching minimum safe staffing levels, and everything I did was patrol work. And . . . I take full responsibility. I own this working more than what the policy states.

ANALYSIS AND CONCLUSIONS:

Named Employee #1 - Allegation #1

4.020 Reporting and Recording Overtime/Out of Classification Pay, 4.020-POL-1 Civilians, Officers, Detectives, Sergeants, and Lieutenants, 3. Employee Work-Hour Maximums.

The Complainant alleged that NE#1 worked over 90 hours in a week.

SPD prohibits employees from working more than 90 hours in a week, measured from 3:00 a.m. on a Saturday until 3:00 a.m. the following Saturday. See SPD Policy 4.020-POL-1(3). The hours include all “worked” and missed shifts due to illness, injury, suspension, and administrative leave. See *id.* Exceptions, like the interest of public safety, court appearances, and mandatory overtime, require at least a captain or civilian equivalent’s preapproval. See *id.*

As he admitted, NE#1 violated this policy. Even if three of the 10 hours NE#1 worked on Saturday, November 11th, were from midnight to 3:00 a.m. and all 19 hours NE#1 worked on Saturday, November 18th, were after 3:00 a.m., NE#1 still would have worked 111 hours.

Moreover, NE#1 appeared to disregard this policy willfully. For one, using the most conservative estimate, NE#1 exceeded the 90-hour maximum by 21 hours. More importantly, NE#1 has a prior sustained finding for violating the same rule nearly identically. In 2020OPA-0511, NE#1’s overtime accumulation resulted in him being featured in a Seattle Times series concerning officer compensation, officer overtime work, and SPD’s potential lack of oversight over such work.

Since 2021, OPA has issued two Management Action Recommendations (MARs) concerning SPD’s timekeeping systems (2021COMP-0030; 2022COMP-0011). In both responses, SPD categorized its implementation as “Ongoing



(Partially Completed),” — citing its continued effort toward upgrading its timekeeping and overtime tracking systems. Accordingly, in addition to sustaining this allegation against NE#1, OPA will submit a new MAR so that SPD can provide updates on its progress.

Recommended Finding: **Sustained**