



## CLOSED CASE SUMMARY

ISSUED DATE: SEPTEMBER 3, 2024

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

CASE NUMBER: 2024OPA-0040

### Allegations of Misconduct & Director's Findings

#### Named Employee #1

Allegation(s):		Director's Findings
# 1	5.001 - Standards and Duties 2. Employees Must Adhere to Laws, City Policy, and Department Policy	Allegation Removed
# 2	5.001 - Standards and Duties, POL-10. Employees Will Strive to be Professional.	Sustained

#### Proposed Discipline

One Day Suspension to Re-training

#### Imposed Discipline

No Discipline Imposed

***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, a civilian employee, alleged Named Employee #1 (NE#1), a civilian supervisor, was unprofessional and violated City policy by bullying her during a staff meeting.

### ADMINISTRATIVE NOTE:

On June 27, 2024, the Office of Inspector General certified this investigation as thorough, timely, and objective.

This is an amended DCM. OPA originally recommend a Sustained finding for Named Employee #1, Allegation #1. A Loudermill Hearing was held on August 19, 2024. During this hearing, NE#1 and her manager, Witness Employee #1 (WE#1) provided additional testimony. Both NE#1 and WE#1 stated that there were lessons learned by each of their levels of supervision. WE#1 stated in retrospect she understood her decision to handle the conflict the way she did was probably not the best way to proceed as the group setting, "opened up too much at once." Also, WE#1 described the meeting as back-and-forth, rather than one-sided bullying. Furthermore, it was her opinion NE#1's conduct at the team meeting in question was not harassment as the Complainant did not report feeling bullied or intimidated after the meeting. Also, NE#1 stopped speaking when asked to, once WE#1 stood up and clearly asserted control. Lastly, WE#1 stated NE#1 has taken "growth mindset" and additional training and made the progress she had hoped for.



NE#1 described herself as a “direct person” and admitted she could be “standoffish” in the workplace. Also, she denied bullying the Complainant during the meeting and noted her lack of prior complaint history for thirty-one years with SPD. Furthermore, she stated she has learned from the trainings that were assigned to her by WE#1, as a result of this incident. NE#1 described the team meetings and team morale has improved since the incident in question. Also, she acknowledged she understood the Chief’s instruction that supervisors should not be standoffish, and that although they need not be friends with their subordinates, they should be friendly.

Both NE#1 and WE#1 stated they learned from this incident. NE#1 stated she has learned from this incident and the additional training and has become a better supervisor for it. WE#1 learned she should have worked directly with the NE#1 and the Complainant upon receiving the Complainant’s initial complaints, rather than encouraging a clearing of the air in a full-team setting, which quickly escalated.

Based on the additional testimony by NE#1 and WE#1, OPA is removing the allegation under SPD Policy 5.001-POL-2.

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

The Complainant emailed OPA to initiate a complaint. The Complainant told an OPA investigator that her supervisor, NE#1, called a team meeting (the “Team Meeting”) during which NE#1 bullied her by pointing her finger at the Complainant, accusing the Complainant of talking behind a co-worker’s back, accusing her of making mistakes at work, and publicly comparing the Complainant to other employees. The Complainant stated NE#1 acted unprofessionally and she felt bullied, humiliated, and verbally attacked.<sup>1</sup>

#### *Witness Employee #1 and Memorandum*

OPA interviewed NE#1’s manager, Witness Employee #1 (WE#1). WE#1 described ongoing tension between NE#1 and staff in her unit. WE#1 described “some attempts to have a team meeting,” but that “a severe communication breakdown” between NE#1 and staff made it difficult to resolve. Specifically, WE#1 stated NE#1’s staff were telling her that NE#1 was “not receptive to their feedback,” and that NE#1 was “not listening,” and would “talk over them.” WE#1 said she decided to attend the Team Meeting to help resolve the issue.

WE#1 stated that, during the Team Meeting, the Complainant raised the issue that she felt NE#1 was “condescending.” WE#1 described NE#1 reacting immediately and inappropriately.

So, [the Complainant] asked [NE#1], a question. I don’t even remember verbatim what the question was. But you could tell that [NE#1] was already agitated, and immediately it just became a going back and forth where [the Complainant] was trying to explain herself, [NE#1] was cutting her off, and telling her to be quiet. Then [the Complainant] got emotional and then another staff started crying and then that’s when I said, “okay, stop. We have to stop. This can’t continue.”

Then [NE#1] didn’t even listen to me and continuously yelled at [the Complainant]. She said to [the Complainant], she said something along the lines of, “you’re not even smart enough to realize you hang around someone that talks behind your back, but yet you drive to work with her every day.” Like it just became out of control. Then that’s when I had to stop the

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<sup>1</sup> OPA reinterviewed the Complainant later. That interview was audio recorded and consistent with the original complaint.



meeting. I said, “[NE#1], I need you to stop. [Complainant] I, need you to stop and I’m going to take over this meeting.”

So, to my recollection, it just got ugly really quickly. We had staff crying, other staff and people saying they didn’t want to work there anymore. Then I just kind of interjected, I tried to calm the situation down to see if we can bring it down to just a back-and-forth kind of, like, “what is the issue? How do we handle the issue?” But [NE#1] was not amenable to that, she continued to talk over me. At that point, I just ended the meeting. After I ended the meeting, I had [the Complainant] come upstairs to talk to me about how she felt and what action she could take.

WE#1 stated she calmed the Complainant down before she spoke to other staff and NE#1. WE#1 told NE#1 her behavior was inappropriate and should not happen again. WE#1 described NE#1 as, “not amenable to it at all.” WE#1 stated she then worked with SPD HR to address the issue.

WE#1 also provided OPA with a memorandum she wrote concerning the issue. WE#1’s memorandum was consistent with her OPA interview.

#### *Named Employee #1*

OPA interviewed NE#1, who described her recollection of the Team Meeting.

NE#1 stated the Team Meeting was a “routine team meeting.” NE#1 said, prior to the meeting, she approached WE#1 to ask if WE#1 wanted anything specific addressed. According to NE#1, WE#1 told her to, “please tell [staff] to stop coming in to [WE#1’s] office complaining.” NE#1 stated WE#1 was “getting a little tired” of the Complainant complaining about everyone, so WE#1 asked NE#1 to relay that.

NE#1 said she started the meeting by asking her staff why they were going directly to WE#1 instead of to her. NE#1 said, when no one answered, she addressed the Complainant as follows:

I said, you come in, you complain about everyone, everything. You don’t like anybody. You don’t like the job. You’re miserable.

NE#1 stated WE#1 joined the conversation at this point and encouraged the group to “get it all out on the table” and “just say everything that we need to say.” NE#1 said WE#1 described her as “very direct” and “passionate about this unit.” NE#1 stated WE#1 told the Complainant that the Complainant was not passionate about the unit and was not a leader.

NE#1 denied bullying the Complainant, explaining that she confronted the Complainant about her behavior because WE#1 encouraged her to do so. NE#1 also suggested the Complainant had an ulterior motive for bringing her complaint, noting the Complainant once told her, “that she wanted my job, to my face.” NE#1 said she responded, “I know you want this job, but . . . you don’t have to stab me in my back for it.”

#### **ANALYSIS AND CONCLUSIONS:**



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

***5.001 - Standards and Duties POL-2. Employees Must Adhere to Laws, City Policy, and Department Policy***

The Complainant alleged NE#1 violated City and SPD policy by bullying her.

SPD Policy 5.001-POL-2 requires that employees adhere to laws, City policy, and Department policy. City of Seattle Personnel Rules define “workplace misconduct” to include, “create[ing] an environment that a reasonable person in a City workplace would consider intimidating, hostile, or abusive,” and actions such as “derogatory name-calling, taunting, shouting or swearing at someone, and other types of verbal abuse (e.g. ‘idiot’).” Seattle Personnel Rules, Preamble 2 – Definitions.

*Original Findings*

OPA previously found that, more likely than not, NE#1 violated City Personnel Rule 1.1. Like all employees, NE#1 was responsible to contribute to a “positive and inclusive workplace” free from prohibited behavior and ensuring her own “personal behavior supports a positive an inclusive workplace.” City Personnel Rule 1.1.5. But, as a supervisor, NE#1 also had higher responsibilities to protect her employees from such conduct. *See id.* at 1.1.6. Instead, both the Complainant and WE#1 described the Team Meeting as dominated by NE#1. Various, the Complainant and WE#1 described NE#1 cutting off and condescending to her staff, yelling, ignoring her own manager’s instructions, and accusing her staff of going around her back. WE#1 noted the meeting resulted in multiple employees crying, with NE#1 as “more the aggressor” who was “kind of mean with the words . . . the tone of her voice was sharp, it was loud,” and expressed, “luckily, we were closed to the public because where we were sitting was downstairs, uhm, but it was very intimidating, it was intimidating enough for me to have to interject and stop her meeting.”

Moreover, NE#1’s description of her own intent and words corroborates these allegations. First, NE#1 described the goal of her meeting as putting an end to her staff—particularly the Complainant—complaining to WE#1. WE#1 denied giving NE#1 that instruction, noting she had no issue with staff raising issues with her directly. This is supported by the fact that multiple employees, including the Complainant, were comfortable raising their concerns with WE#1. Second, NE#1 recalled, when her staff were not forthcoming with concerns, opening the conversation by addressing the Complainant directly, stating, “you come in, you complain about everyone, everything. You don’t like anybody. You don’t like the job. You’re miserable.” Finally, NE#1’s impression that the Complainant was trying to “stab” her “in the back” for her job suggests NE#1 was less motivated to improve unit morale than engage in a public power struggle with her subordinate.

For the reasons stated above, OPA originally found NE#1 created and perpetuated the Team Meeting that was intimidating to both her employees and supervisor. Following the Team Meeting, WE#1 described NE#1 as “not amendable” to feedback “at all.” WE#1 also described NE#1 yelling, cutting the Complainant off, and saying to the entire team that the Complainant was “not smart enough” to realize something.

*Amended Findings*

After hearing the additional testimony from NE#1 and WE#1, OPA now finds NE#1 did not violate SPD Policy 5.001-POL-2.<sup>2</sup> Reviewing the totality of the circumstances, there were contributing factors that WE#1 acknowledged. Specifically, WE#1 put NE#1 in a group setting in an already charged atmosphere. As discussed below, NE#1’s conduct still violated SPD’s professionalism policy but, given the difficult situation WE#1 put NE#1 in, OPA now finds NE#1’s

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<sup>2</sup> See administrative note above – page 2.



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conduct did not rise to a violation of City Personnel Rule 1.1. Commendably, NE#1 has gone through training and the environment at work has improved and she acknowledged learning from this incident.

Accordingly, OPA is removing this allegation.

Recommended Finding: **Allegation Removed**

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

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

The Complainant alleged NE#1 was unprofessional during the Team Meeting.

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. Additionally, the policy states: “Any time employees represent the Department or identify themselves as . . . Department employees, they will not use profanity directed as an insult or any language that is derogatory, contemptuous, or disrespectful toward any person.” *Id.* The professionalism policy applies to all SPD employees. SPD Policy 5.001-POL. The “guiding principle” of the policy is “to treat everyone with respect and courtesy” and refrain “from language, demeanor, and actions that may cause the individual feeling belittled, or ridiculed ...” *Id.*

As discussed above, OPA now finds that, under the totality of the circumstances, NE#1’s conduct did not rise to the level of violating City Personnel Rule 1.1. That said, NE#1’s conduct at the Team Meeting fell short of the Department’s professionalism standards by failing to treat her team with respect and using language, demeanor, and actions during a Team Meeting that left multiple employees in tears.

Accordingly, OPA recommends this allegation be Sustained.

Recommended Finding: **Sustained**