



## CLOSED CASE SUMMARY

ISSUED DATE: AUGUST 6, 2024

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

CASE NUMBER: 2024OPA-0079

### 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	5.001 – Standards and Duties, 5.001-POL-15. Employees Obey any Lawful Order Issued by a Superior Officer	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—an assistant chief—alleged that Named Employee #1 (NE#1), a Seattle Police Operations Center (SPOC) captain—was insubordinate in an email by pushing to have SPOC representatives attend a training in violation of his instruction. It was also alleged that NE#1 was argumentative in a meeting about upcoming training.

### ADMINISTRATIVE NOTE:

On July 2, 2024, the Office of Inspector General certified OPA's investigation as thorough, timely, and objective.

### SUMMARY OF INVESTIGATION:

#### A. OPA Complaint

On February 8, 2024, the Complainant submitted an OPA complaint alleging the following:

On January 31, 2024, during a weekly check-in, the Complainant met with NE#1 and Witness Employee #1 (WE#1), an executive assistant. The Complainant discussed the following with NE#1:

- Training #1 – February 2024. Witness Employee #2 (WE#2)—an acting captain—was SPD's lead planner for the 2026 FIFA World Cup. In preparing for that event, WE#2 coordinated with Witness Employee #3 (WE#3)—a homeland security law enforcement program manager—to identify training opportunities for SPD. SPD was invited to attend Training #1 to determine whether it would satisfy its training needs. The Complainant approved WE#2, WE#3, and an Education and Training Section (ETS) representative to attend Training #1. NE#1 suggested a SPOC representative attend Training #1. The Complainant told NE#1 that if Training #1 met SPD's needs, an ETS would oversee it. The Complainant alleged that NE#1 was "argumentative and insistent"



that Witness Employee #4 (WE#4)—a SPOC lieutenant—attend Training #1. The Complainant wrote, “I ended by re-emphasizing that the attendance list was finalized, and SPOC would not send anyone to attend.”

- Training #2 – July 2024. NE#1 inquired about SPOC representatives attending Training #2, which the Complainant supported. NE#1 asked why WE#2 was slotted to attend Training #2 since he was not within SPOC’s command. The Complainant responded that Training #2 was relevant to WE#2’s duties as the FIFA lead planner. The Complainant wrote, “I ended by encouraging [NE#1] to have [WE#4] reach out to [WE#3] to coordinate having SPOC represented at the July conference.”

When the meeting ended, about 8 minutes later, NE#1 emailed WE#3, with WE#4 and the Complainant carbon copied:

*Good morning! ... I would love to sit down with you and my Lieutenant to discuss roles, responsibilities, opportunities, and training.... I understand there is [an] upcoming training in February and July in which SPOC should be participating. [The Complainant] said you select the participants to attend. How can I make sure SPOC staff has the opportunity?*

The Complainant believed NE#1’s email conflicted with his instruction based on NE#1 pushing for SPOC representatives to attend Training #1 despite being told “mere minutes” before they would not. The Complainant also believed the “tone and tenor” of NE#1’s email gave the impression that he approved NE#1’s request. The Complainant sent the following response to all parties:

*[WE#3], [p]lease work with [NE#1] and [WE#4] to determine who from SPOC will be attending [Training #2]. [WE#2] is also attending.... Please move forward with [Training #1] (February) with the personnel we have already discussed.*

The Complainant alleged that NE#1’s email to WE#3 constituted insubordination because NE#1 “willfully disregarded specific instruction provided only minutes prior.”

OPA investigated the complaint, reviewing email correspondence and meeting minutes. OPA also interviewed NE#1.

## **B. Meeting Minutes**

WE#1 documented the January 31, 2024, meeting between the Complainant and NE#1 as follows:

NE#1 said SPOC personnel should attend Training #1 and Training #2. NE#1 believed she was denied training opportunities, unlike WE#2. The Complainant explained why WE#2 was approved to attend both trainings. WE#1 wrote, “[NE#1] continued to argue that [WE#4] should be attend[ing] [Training #1].” WE#1 also wrote, “[The Complainant] encouraged [NE#1] and [WE#4] [to] reach out and work with [WE#3] to come up with a list [of] individuals from SPOC to attend [Training #2] in July.”

## **C. OPA Interview**

On May 13, 2024, OPA interviewed NE#1. NE#1 said she was concerned about SPOC personnel being denied training opportunities, particularly since two chains of command were not coordinating for the 2026 FIFA World Cup. NE#1



said she insisted that SPOC personnel receive the same training to ensure operations run smoothly. NE#1 said the Complainant told her that WE#3 decided who attended Training #1 and suggested she contact WE#3 about getting SPOC to attend that training. NE#1 said she did not interpret her conversation with the Complainant as constituting an order prohibiting her from asking WE#3 about Training #1, so NE#1 emailed WE#3 about it. NE#1 described her email as professional, organized, and thoughtful. NE#1 denied being unprofessional or insubordinate by emailing WE#3 about both training opportunities.

### **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 was argumentative in a meeting, constituting unprofessionalism.

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.* 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 derogatory, contemptuous, or disrespectful towards anyone. *Id.*

Being “argumentative” or “insistent”—without more—is an insufficient basis to conclude that NE#1’s conduct was unprofessional. NE#1’s insistence that WE#4 attend Training #1 stemmed from her concern about SPOC personnel being denied training opportunities and her desire to ensure operations during the 2026 FIFA World Cup ran smoothly. Neither the Complainant nor WE#1 suggested that NE#1 undermined public trust or used derogatory, contemptuous, or disrespectful language during or following their meeting. Therefore, based on a preponderance of evidence, OPA finds that NE#1 was not unprofessional when she insisted that WE#4 attend Training #1.

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

Recommended Finding: **Not Sustained - Unfounded**

#### **Named Employee #1 – Allegation #2**

##### ***5.001 – Standards and Duties, 5.001-POL-15. Employees Obey any Lawful Order Issued by a Superior Officer***

The Complainant alleged that NE#1 was insubordinate when she requested that SPOC personnel attend Training #1.

Department employees must obey any lawful order issued by a superior officer. SPD Policy 5.001-POL-15. Failure to obey lawful orders from a superior officer constitutes insubordination. *Id.*

The record lacks sufficient evidence supporting insubordination. Instead, it suggests a misunderstanding. There is no dispute that NE#1 insisted that WE#4 should attend Training #1 after the Complainant indicated that SPOC would not attend Training #1. NE#1 and the Complainant then discussed Training #2, during which the Complainant suggested NE#1 contact WE#3 about SPOC attending Training #2. NE#1 told OPA that she did not receive that instruction as a prohibition against asking WE#3 about SPOC attending Training #1. NE#1’s email and interview statements indicated she thought WE#3 decided the attendees for both trainings. NE#1’s email noted, “I understand there is upcoming



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training in February [Training #1] and July [Training #2] in which SPOC should be participating. [The Complainant] said you select the participants to attend.” NE#1’s email was consistent with her interview statements. Also notable was NE#1 carbon copying the Complainant in her email to WE#3 rather than surreptitiously requesting SPOC’s attendance at Training #1. The Complainant clarified 12 minutes later that the attendees for Training #1 were finalized. Based on these facts, OPA cannot conclude that NE#1’s email constituted insubordination.

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

Recommended Finding: **Not Sustained - Inconclusive**