




CLOSED CASE SUMMARY

ISSUED DATE: JANUARY 14, 2025

FROM: INTERIM DIRECTOR BONNIE GLENN
OFFICE OF POLICE ACCOUNTABILITY 

CASE NUMBER: 2024OPA-0309

Allegations of Misconduct & Director's Findings

Named Employee #1

Allegation(s):		Director's Findings
# 1	10.010 - Parking at Department Facilities, 10.010-POL-1 General Policy, 1. Employees Will Not Use City-Owned Electric Vehicle Charging Stations to Charge Personally Owned Vehicles or Equipment	Not Sustained - Training Referral

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:

An anonymous Complainant alleged Named Employee #1 (NE#1), a civilian employee, used a City-owned Electric Vehicle Charging Station to charge her personally owned vehicle for three days in a row.

ADMINISTRATIVE NOTE:

On September 17, 2024, OIG certified OPA's investigation as thorough, timely, and objective.

SUMMARY OF INVESTIGATION:

OPA reached out to the anonymous Complainant through a phone number they provided. The Complainant stated they observed a private Tesla electric vehicle being charged in the Deputy Chief's parking spot. The Complainant did not observe who parked the Tesla there, but took a photograph of the vehicle, which the Complainant provided to OPA.

Through the vehicle license plate and vehicle registration information, OPA determined the unknown employee was NE#1.

OPA analyzed the photograph provided by the Complainant. The photograph clearly showed the Tesla parked in the Deputy Chief's spot—which was marked "Reserved"—and a power line plugged into the Tesla. OPA took photographs of the parking spot when it was empty and a photograph of the charging station, shown below:



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OPA also compared this charging station to other charging stations in the garage, which featured prominent warning stickers as depicted below:





OPA interviewed NE#1. NE#1 has worked for SPD for fourteen years and served as the Deputy-Chief's executive assistant. NE#1 admitted parking in the spot, noting that the Deputy Chief was out of town on those dates and that it is common practice for executive assistants to park in their Chief's spot when they're out of town. NE#1 said she charged her vehicle with that charger because she observed it did not have a warning sticker, unlike most other chargers outside of the secured area. Because of this, NE#1 thought she could charge at that spot, noting she usually did so for a short period, and she was unaware of the policy. NE#1 admitted the Tesla was a personally-owned vehicle. Overall, NE#1 "guesstimated" she had charged her personal vehicle about ten to fifteen times, accounting for both parking spots the Deputy Chief had held. NE#1 denied anyone giving her permission to charge her vehicle. NE#1 said she would not have charged her vehicle if she had been aware of the policy and was very remorseful when this was brought to her attention.

ANALYSIS AND CONCLUSIONS:

Named Employee #1 – Allegation #1

10.010 - Parking at Department Facilities, 10.010-POL-1 General Policy, 1. Employees Will Not Use City-Owned Electric Vehicle Charging Stations to Charge Personally Owned Vehicles or Equipment

The Complainant alleged NE#1 charged her personal vehicle at a City-owned Electric Vehicle Charging Station for three days in a row.

SPD Policy prohibits employees from using City-owned Electric Vehicle Charging Stations to charge personally-owned vehicles or equipment. SPD Policy 10.010-POL-1(1).

There is no dispute that NE#1 violated this policy, as alleged. OPA appreciates NE#1's candor during the investigation. OPA also recognizes the confusion caused by the *absence* of a warning sticker on one charger when such stickers are prominently displayed on others elsewhere in the same garage. The implication NE#1 drew was not entirely unreasonable. That said, the policy itself is clear and serves an important purpose: although less expensive than gasoline, the electricity to charge an electric vehicle is not free. Given her awareness of the warning labels on other chargers, which specifically referenced City vehicles, NE#1 should have exercised more caution to consult either policy or Motor Pool to determine whether she could use the charger. See SPD Policy 10.010-POL-2(1) (Motor Pool employees have operational control over the secure parking area).

Given the totality of the circumstances here, OPA recommends this allegation be Not Sustained – Training Referral. NE#1 is warned that any future noncompliance with this policy will likely result in a Sustained finding.

- **Training Referral:** NE#1's chain of command should discuss OPA's findings with NE#1, review SPD Policy 10.010-POL-1(1) with NE#1, and provide any further retraining and counseling that it deems appropriate. The retraining and counseling conducted should be documented in Blue Team.

Recommended Finding: **Not Sustained – Training Referral**