



OFFICE OF PROFESSIONAL ACCOUNTABILITY

Closed Case Summary

Complaint Number OPA#2014-0664 and OPA#2015-0287

Issued Date: 11/16/2015

Named Employee #1	
Allegation #1	<u>Seattle Police Department Manual</u> 5.001 (III.A.1) Standards & Duties: Knowledge of and Adherence to Laws (Policy that was issued 8/15/2012) and 5.001 (2) Standards and Duties: Employees Must Adhere to Laws and Department Policy (Policy that was issued 7/16/2014)
OPA Finding	Sustained
Allegation #2	<u>Seattle Police Department Manual</u> 5.001 (VI.A.3) Standards & Duties: Integrity – Misuse of Authority: Employees shall not use their position or authority as a police officer for personal gain (Policy that was issued 8/15/2012) and 5.001 (12) Standards and Duties: Employees shall not use their position or authority for personal gain (Policy that was issued 07/16/14)
OPA Finding	Sustained
Allegation #3	<u>Seattle Police Department Manual</u> 5.001 (10) Standards and Duties: Employees shall be truthful and complete in all communication (Policy that was issued 07/16/2014 and 04/01/2015)
OPA Finding	Sustained
Allegation #4	<u>Seattle Police Department Manual</u> 5.002 (3) Responsibilities of Employees Concerning Complaints of Possible Misconduct: Employees shall not discourage, interfere with, hinder, or obstruct any person from making a complaint or conducting or cooperating with an investigation of a complaint (Policy that was issued 01/01/15)

OPA Finding	Sustained
Final Discipline	Resignation in lieu of termination

Named Employee #2	
Allegation #1	<u>Seattle Police Department Manual</u> 5.001 (III.A.1) Standards & Duties: Knowledge of and Adherence to Laws (Policy that was issued 8/15/2012) and 5.001 (2) Standards and Duties: Employees Must Adhere to Laws and Department Policy (Policy that was issued 7/16/2014)
OPA Finding	Not Sustained (Inconclusive)
Allegation #2	<u>Seattle Police Department Manual</u> 5.001 (VI.A.3) Standards & Duties: Integrity – Misuse of Authority: Employees shall not use their position or authority as a police officer for personal gain (Policy that was issued 8/15/2012) and 5.001 (12) Standards and Duties: Employees shall not use their position or authority for personal gain (Policy that was issued 07/16/14)
OPA Finding	Not Sustained (Inconclusive)
Final Discipline	N/A

INCIDENT SYNOPSIS

Named employee #1 was assigned to a specialty unit as a supervisor. Named employee #2 left employment with the Seattle Police Department (SPD) during the investigation.

COMPLAINT

This closed case summary covers two separate OPA investigations.

In the first instance, an anonymous complainant alleged that the named employee took a piece of equipment assigned to the Unit to his personal residence.

In the second instance, the complainant, a supervisor within the Department, alleged that the named employee took various items of SPD property purchased for the Unit and used the property for his personal use, or at a minimum, deprived SPD of its use.

INVESTIGATION

The OPA investigation included the following actions:

1. Review of the complaint memos
2. Search for and review of all relevant records and other evidence
3. Interviews of SPD employees

ANALYSIS AND CONCLUSION

The evidence showed that named employee #1 removed several items of Department property from the Unit and took them to his personal residence. Additionally, named employee #1 arranged for SPD employees, who reported to him, to conduct personal tasks for the named employee that were not related to SPD business and benefited the named employee. The tasks were completed using SPD facilities and equipment while the subordinate employees were on duty and being paid by SPD. Named employee #1 admitted to taking these actions and not seeking approval from his chain of command. During the OPA investigation, named employee #1 made numerous dishonest statements. In addition, named employee #1 violated the order not to discuss the OPA investigation with other witnesses or potential witnesses. Named employee #1 admitted to contacting or attempting to contact other witnesses to discuss details of the investigation, interfering with the investigation in violation of Department policy.

Named employee #2 did not respond to OPA's attempts to interview her regarding this complaint and has since retired.

FINDINGS

Named Employee #1

Allegation #1

The evidence showed that named employee #1 did not follow department policy. Therefore a **Sustained** finding was issued for *Employees Must Adhere to Laws and Department Policy*.

Allegation #2

The evidence showed that named employee #1 used his position for personal gain. Therefore a **Sustained** finding was issued for *Employees shall not use their position or authority for personal gain*.

Allegation #3

The evidence showed that named employee #1 was not truthful and complete in all communications. Therefore a **Sustained** finding was issued for *Employee Shall Be Truthful and Complete in All Communications*.

Allegation #4

The evidence showed that named employee #1 interfered with the investigation of this complaint. Therefore a **Sustained** finding was issued for *Responsibilities of Employees Concerning Complaints of Possible Misconduct: Employees shall not discourage, interfere with, hinder, or obstruct any person from making a complaint or conducting or cooperating with an investigation of a complaint.*

Discipline imposed: **Resignation in lieu of termination**

Named Employee #2

Allegation #1

The evidence could not prove nor disprove that named employee #2 violated department policy. Therefore a finding of **Not Sustained** (Inconclusive) was issued for *Employees Must Adhere to Laws and Department Policy.*

Allegation #2

The evidence could not prove nor disprove that named employee #2 used her position for personal gain. Therefore a finding of **Not Sustained** (Inconclusive) was issued for *Employees shall not use their position or authority for personal gain.*

NOTE: The Seattle Police Department Manual policies cited for the allegation(s) made for this OPA Investigation are policies that were in effect during the time of the incident. The issued date of the policy is listed.