



OFFICE OF PROFESSIONAL ACCOUNTABILITY

Closed Case Summary

Complaint Number OPA#2015-1213

Issued Date: 04/08/2016

Named Employee #1	
Allegation #1	<u>Seattle Police Department Manual</u> 5.001 (2) Employees Must Adhere to Laws, City Policy and Department Policy (Policy that was issued 04/01/2015)
OPA Finding	Not Sustained (Inconclusive)
Allegation #2	<u>Seattle Police Department Manual</u> 5.002 (9) Responsibilities of Employees Concerning Complaints of Possible Misconduct: Employees Will Report Certain Events (Policy that was issued 01/01/2015)
OPA Finding	Not Sustained (Unfounded)
Allegation #3	<u>Seattle Police Department Manual</u> 5.170 (7) Alcohol and Substance Abuse: No Use or Possession of a Controlled Substance (Policy that was issued 11/21/2012)
OPA Finding	Not Sustained (Inconclusive)
Final Discipline	N/A

INCIDENT SYNOPSIS

The Named Employee was not at work.

COMPLAINT

The complainant, another law enforcement agency, reported that they were investigating an alleged theft of prescription pain pills and the Named Employee was a suspect in their investigation.

An OPA administrative investigation was launched to investigate the alleged theft of narcotics and alleged possession/use of the narcotics. OPA also alleged that the Named Employee did not notify a supervisor in regards to the initial criminal investigation conducted by the law enforcement agency.

INVESTIGATION

The OPA investigation included the following actions:

1. Review of the complaint call
2. Search for and review of all relevant records and other evidence
3. Interview of witnesses
4. Interview of SPD employee

ANALYSIS AND CONCLUSION

The OPA investigation attempted to document and identify evidence that would clearly establish whether the Named Employee took the prescription pain pills and whether or not the Named Employee possessed or used them as alleged by the complainant. The OPA investigation did not find a preponderance of evidence to either support or refute either of these allegations. The Named Employee was the subject of a criminal investigation led by another law enforcement agency and was not aware of the investigation until he was relieved of duty. During the criminal investigation the person who initially made the accusation declined to cooperate and no charges were filed. Similarly, the originally accuser declined to cooperate with the OPA investigation.

FINDINGS

Named Employee #1

Allegation #1

The preponderance of evidence did not support or refute that the Named Employee took the prescription pain pills as alleged. Therefore a finding of **Not Sustained** (Inconclusive) was issued for *Employees Must Adhere to Laws, City Policy and Department Policy*.

Allegation #2

The evidence showed that the Named Employee was not aware of the criminal investigation until he was relieved of duty. Therefore a finding of **Not Sustained** (Unfounded) was issued for *Responsibilities of Employees Concerning Complaints of Possible Misconduct: Employees Will Report Certain Events*.

Allegation #3

The preponderance of evidence did not support or refute that the Named Employee possessed or used the prescription pain pills as alleged. Therefore a finding of **Not Sustained** (Inconclusive) was issued for *Alcohol and Substance Abuse: No Use or Possession of a Controlled Substance*.

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.