



## OFFICE OF PROFESSIONAL ACCOUNTABILITY

### Closed Case Summary

Complaint Number OPA#2015-1789

Issued Date: 06/28/16

Named Employee #1	
Allegation #1	<u>Seattle Police Department Manual</u> 5.001 (9) Employees Shall Strive to be Professional at all Times (Policy that was issued 04/01/2015)
OPA Finding	<b>Not Sustained</b> (Inconclusive)
Allegation #2	<u>Seattle Police Department Manual</u> 5.001 (14) Employees Obey any Lawful Order Issued by a Superior Officer (Policy that was issued 04/01/2015)
OPA Finding	<b>Not Sustained</b> (Unfounded)
Final Discipline	N/A

#### **INCIDENT SYNOPSIS**

The Named Employee had been assigned to work a special event.

#### **COMPLAINT**

The complainant, a supervisor within the Department, alleged that the Named Employee used profanity in describing a supervisor in the department and further alleged the Named Employee failed to attend a special event and instead worked off duty.

## **INVESTIGATION**

The OPA investigation included the following actions:

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

## **ANALYSIS AND CONCLUSION**

The Named Employee was alleged to have referred to a SPD commander as a “rotten bastard” while speaking with a fellow officer. Neither of the two parties to the conversation recall the Named Employee using that specific term in a derogatory manner in reference to the commander. Since the complainant did not have firsthand knowledge of what was said, it is clear there was no preponderance of the evidence to either prove or disprove the allegation. The Named Employee was alleged to have not shown up for a special event assignment after having been ordered to report. The preponderance of the evidence from the OPA investigation showed that the Named Employee followed proper procedures to notify SPD that he was sick that day and, based on advice from his physician, was unable to work the special event.

## **FINDINGS**

### **Named Employee #1**

#### Allegation #1

There was no preponderance of the evidence to either prove or disprove this allegation against the Named Employee. Therefore a **Not Sustained** (Inconclusive) finding was issued for *Employees Shall Strive to be Professional at all Times*.

#### Allegation #2

The evidence supports that the Named Employee followed proper procedure regarding his absence due to illness. Therefore a **Not Sustained** (Unfounded) was issued for *Employees Obey any Lawful Order Issued by a Superior Officer*.

*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.*