



OFFICE OF PROFESSIONAL ACCOUNTABILITY

Closed Case Summary

Complaint Number OPA#2016-0452

Issued Date: 03/30/2017

Named Employee #1	
Allegation #1	<u>Seattle Police Department Manual</u> 5.001 (12) Standards and Duties: Employees Shall Not Use Their Position or Authority for Personal Gain (Policy that was issued April 1, 2015)
OPA Finding	Sustained
Final Discipline	Resigned in Lieu of Termination

Named Employee #2	
Allegation #1	<u>Seattle Police Department Manual</u> 5.001 (12) Standards and Duties: Employees Shall Not Use Their Position or Authority for Personal Gain (Policy that was issued April 1, 2015)
OPA Finding	Sustained
Allegation #2	<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 April 1, 2015)
OPA Finding	Sustained
Final Discipline	Discharged in Lieu of Termination

INCIDENT SYNOPSIS

Named Employee #2 applied for a position, and Named Employee #1 was involved in the hiring process for that position.

COMPLAINT

The anonymous complainant alleged that Named Employee #2 was dishonest and cheated on a preliminary test at work, and that Named Employee #1 was dishonest by assisting Named Employee #2 with cheating and also used her position for personal gain.

INVESTIGATION

The OPA investigation included the following actions:

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

ANALYSIS AND CONCLUSION

Named Employee #1 used her position as a SPD employee to give her spouse (Named Employee #2) access to testing questions and interview information not available to other applicants for the same position for which Named Employee #2 had applied. As the spouse of Named Employee #2, Named Employee #1 stood to gain from this should Named Employee #2- a temporary employee with SPD- obtain a permanent position with SPD.

Named Employee #2 used his position as a SPD temporary employee to obtain from his spouse (Named Employee #1) access to testing questions and interview information not available to other applicants for the same position for which Named Employee #2 had applied.

Named Employee #2 told OPA he was not aware when he received the test questions and interview information from Named Employee #1 that they were confidential, or that they were the actual questions to be used. However, when Named Employee #2 took the actual test, he realized the test was exactly the same as what Named Employee #1 had previously sent him and that the interview questions were also the same. Even though Named Employee #2 realized he had been given an unfair advantage over other applicants, he proceeded to take the test and participate in the interview without disclosing to HR or those involved in the interviews the fact he had been exposed to the information beforehand. This behavior was deceptive in that, by not revealing to those administering the test and interview, Named Employee #2 presented his answers to the written test and in the interview as being without the unfair advantage of having seen the questions in advance.

FINDINGS

Named Employee #1

Allegation #1

A preponderance of the evidence showed that Named Employee #1 used her position as a SPD employee to give Named Employee #2 access to testing questions and interview information not available to other applicants. Therefore a **Sustained** finding was issued for *Standards and Duties: Employees Shall Not Use Their Position or Authority for Personal Gain.*

Discipline Imposed: Resigned in Lieu of Termination

Named Employee #2

Allegation #1

A preponderance of the evidence showed that Named Employee #2 used his position as a SPD temporary employee to obtain from Named Employee #1 access to testing questions and interview information not available to other applicants. Therefore a **Sustained** finding was issued for *Standards and Duties: Employees Shall Not Use Their Position or Authority for Personal Gain.*

A preponderance of the evidence showed that when Named Employee #2 realized he had been given an unfair advantage over other applicants, he proceeded to take the test and participate in the interview without disclosing to HR or those involved in the interviews the fact he had been exposed to the information beforehand. Therefore a **Sustained** finding was issued for *Standards and Duties: Employees Shall Be Truthful and Complete In All Communication.*

Discipline Imposed: Discharged in Lieu of Termination

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.