



OFFICE OF PROFESSIONAL ACCOUNTABILITY

Closed Case Summary

Complaint Number OPA#2014-0687

Issued Date: 05/22/2015

Named Employee #1	
Allegation #1	<u>Seattle Police Department Manual</u> 5.001 (9) Professionalism – Employees Shall Not Use Derogatory Language (Policy that was issued 07/16/14)
OPA Finding	Not Sustained (Inconclusive)
Allegation #2	<u>Seattle Police Department Manual</u> 5.001 (9) Professionalism – Employee Will Avoid Unnecessary Escalation (Policy that was issued 07/16/14)
OPA Finding	Not Sustained (Training Referral)
Final Discipline	N/A

INCIDENT SYNOPSIS

The named employee and his partner had stopped at a convenience store to make a purchase. On the way into the store, they noticed a car parked in a disabled spot without a disabled placard in the window. The named employee admonished the driver about parking without a disabled placard from being displayed. The passenger retrieved the placard and displayed it properly within the vehicle. As the named employee walked away from the vehicle, he heard something said from the vehicle and re-engaged speaking with the driver and passenger.

COMPLAINT

The complainant and subject alleged the named employee was discourteous and threatened the subject with a ticket. The complainant further alleged that the named employee escalated the situation by challenging him to "be a man" during his interaction with them.

INVESTIGATION

The OPA investigation included the following actions:

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

ANALYSIS AND CONCLUSION

As this was a social contact, there was no In-Car Video or other recorded information from this interaction. From the evidence, it is clear that a conversation did take place about the disabled placard. There were no non-involved witnesses for this conversation and it could not be proved or disproved that the named employee made derogatory comments. However, it is important to note that the named employee could have just walked away from the conversation after the disabled placard was displayed but chose to re-engage the conversation.

FINDINGS

Named Employee #1

Allegation #1

The evidence did not prove nor disprove that the named employee used derogatory language. Therefore a finding of **Not Sustained** (Inconclusive) was issued for *Professionalism – Employees Shall Not Use Derogatory Language*.

Allegation #2

The evidence showed that the named employee was walking away from a social contact with the complainant when he heard something said behind him and re-engaged with the complainant. This was unnecessary and potentially served to escalate the matter, quite possibly leading to a decision by the complainant to file a complaint. Therefore a finding of **Not Sustained** (Training Referral) was issued for *Professionalism – Employee Will Avoid Unnecessary Escalation*. A Training Referral will allow a supervisor to ensure that the named employee receives training on how to avoid unnecessarily responding to comments and other verbal provocations.

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.