



OFFICE OF PROFESSIONAL ACCOUNTABILITY

Closed Case Summary

Complaint Number OPA#2015-1930

Issued Date: 07/01/2016

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	Not Sustained (Unfounded)
Final Discipline	N/A

Named Employee #2	
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	Not Sustained (Unfounded)
Final Discipline	N/A

INCIDENT SYNOPSIS

During an audit of In-Car Video usage and practices the complainant became aware of the comments made by the Named Employees.

COMPLAINT

The complainant, a supervisor within the Department, alleged that the Named Employees mocked or otherwise made fun of the subject's first name in a way that could appear to be linked to the subject's religion and/or cultural background.

INVESTIGATION

The OPA investigation included the following actions:

1. Review of the complaint memo
2. Review of In-Car Video (ICV)
3. Search for and review of all relevant records and other evidence
4. Interview of SPD employees

ANALYSIS AND CONCLUSION

Named Employee #1 saw a person driving (the subject). Named Employee #1 knew the subject by name and that his driving privileges were suspended. Named Employee #1 shouted at the subject to stop driving without a valid license, using the subject's first name preceded by the prefix "Mr." The subject's first name is also the name of a religious holiday. While Named Employee #1's use of the name in this manner could be taken by some as making fun of that religion, there is no evidence to support the allegation that Named Employee #1's use of the name in this manner was meant as a slight or mockery of the religion.

Named Employee #2 laughed after Named Employee #1 used the prefix "Mr." in front of the subject's first name. Named Employee #2 then said, "You're killing me, man." This laughter and comment were unlikely to have been heard by anyone other than the two officers. Nonetheless, it was recorded on the officers' In-Car Video (ICV). Named Employee #2 told OPA in his interview he was amused by the fact Named Employee #1 recognized the subject and addressed him by name. There is no evidence to refute this explanation.

FINDINGS

Named Employee #1 and #2

Allegation #1

There is no preponderance of the evidence to support that allegation that the Named Employees violated the policy. Therefore a finding of **Not Sustained** (Unfounded) was issued for *Employees Shall Strive to be Professional at all Times*.

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.