



OFFICE OF PROFESSIONAL ACCOUNTABILITY

Closed Case Summary

Complaint Number OPA#2015-1865

Issued Date: 08/15/2016

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 (Unfounded)
Allegation #2	<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

The Named Employee engaged in a personal relationship off duty.

COMPLAINT

The complainant alleged that the Named Employee assaulted her while out of the country, made verbal threats to his estranged spouse while talking to the complainant on the phone and committed one act of child abuse. The complainant further alleged that the Named Employee borrowed a large sum of money from her and will not pay it back.

INVESTIGATION

The OPA investigation included the following actions:

1. Review of the complaint voicemail
2. Interview of the complainant
3. Review of the Criminal Investigation
4. Search for and review of all relevant records and other evidence
5. Interview of SPD employee

ANALYSIS AND CONCLUSION

The complainant made three separate allegations of conduct that, if true, may have been violations of law. She alleged an act of Domestic Violence Assault while out of the country with the Named Employee. The local police were not called at the time and no police investigation into this alleged assault took place. There are no known witnesses, other than the involved parties, and no photographs or other evidence available. Despite repeated suggestions from OPA and the SPD Domestic Violence Unit that she file a police report with law enforcement in the jurisdiction in which the event took place, no police report has been filed. The Named Employee completely denies ever assaulting the complainant. The second potential criminal allegation was that, during a telephone conversation with the complainant, the Named Employee had threatened to harm his (the Named Employee's) estranged spouse. These alleged threats were reported to the police agency with jurisdiction; they conducted an investigation and screened the results with a prosecutor. The prosecutor declined to file charges. Other than the complainant's report of these threats, there are no other witnesses or corroborating evidence. The Named Employee told OPA he did not say the things the complainant alleged. Finally, the complainant alleged the Named Employee had engaged in at least one act of child abuse which she (the complainant) claims he relayed to her over the phone. This allegation was reported to the police agency with jurisdiction who, along with CPS, conducted an investigation. That case was closed by the outside agency as unfounded. The Named Employee denied any abuse or inappropriate conduct with respect to his children. Based on the preponderance of the evidence available for review in this case, there is no substantiation for any of the three allegations of criminal conduct made by the complainant.

The complainant alleged that the Named Employee failed to follow through on a promise to reimburse her thousands of dollars she claimed to have loaned to him. The preponderance of the evidence from this investigation shows this to be a civil dispute between the complainant and the Named Employee. There was no evidence to support the allegation that the Named Employee had been untruthful or acted in a manner that would undermine the public's trust in the Named Employee or the Department.

FINDINGS

Named Employee #1

Allegation #1

Based on the preponderance of the evidence available for review in this case, there is no substantiation for any of the three allegations of criminal conduct against the Named Employee. Therefore a finding of **Not Sustained** (Unfounded) was issued for *Employees Must Adhere to Laws, City Policy and Department Policy*.

Allegation #2

There was no evidence to support the allegation that the Named Employee had been untruthful or acted in a manner that would undermine the public's trust in the Named Employee or the Department. 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.