



CLOSED CASE SUMMARY

ISSUED DATE: JANUARY 23, 2019

CASE NUMBER: 2016OPA-0360

Allegations of Misconduct & Director’s Findings

Named Employee #1

Allegation(s):		Director’s Findings
# 1	5.001 - Standards and Duties 2. Employees Must Adhere to Laws, City Policy and Department Policy	Sustained
# 2	5.001 - Standards and Duties 10. Employees Shall Strive to be Professional	Sustained

Imposed Discipline

Proposed Termination – Resigned Prior to DAR

This Closed Case Summary (CCS) represents the opinion of the OPA Director regarding the misconduct alleged and therefore sections are written in the first person.

EXECUTIVE SUMMARY:

The Named Employee was convicted of various offenses and was sentenced to 23 years in prison.

ANALYSIS AND CONCLUSIONS:

Named Employee #1 - Allegations #1

5.001 - Standards and Duties 2. Employees Must Adhere to Laws, City Policy and Department Policy

Named Employee #1 (NE#1) was accused of sexually abusing both of his daughters. This matter was criminally investigated and NE#1 was charged with multiple offenses. NE#1 was convicted after a jury trial and pleaded guilty via an *Alford* plea to one additional charge. NE#1 was sentenced to 23 years in prison. NE#1 resigned from the Department prior to his conviction and during the pendency of this investigation. OPA attempted to interview NE#1; however, OPA was informed through NE#1’s defense attorney that he declined to be interviewed.

SPD Policy 5.001-POL-2 states that employees must adhere to laws, City policy, and Department policy.

The criminal investigation documents and NE#1’s criminal conviction and plea provide conclusive evidence that NE#1’s conduct violated the law and numerous City and Department policies. As such, I recommend that this allegation be Sustained.

Recommended Finding: **Sustained**

Named Employee #1 - Allegations #2

5.001 - Standards and Duties 10. Employees Shall Strive to be Professional



SPD Policy 5.001-POL-9 requires that SPD employees “strive to be professional at all times.” The policy further instructs that “employees may not engage in behavior that undermines public trust in the Department, the officer, or other officers.” (SPD Policy 5.001-POL-9.)

NE#1’s conduct, along with being criminal, was blatantly unprofessional. He was found to have committed heinous crimes that greatly undermined public trust in the Department. For these reasons, I recommend that this allegation be Sustained.

Recommended Finding: **Sustained**