



OFFICE OF PROFESSIONAL ACCOUNTABILITY

Closed Case Summary

Complaint Number OPA#2016-1062

Issued Date: 03/21/2017

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	Not Sustained (Training Referral)
Allegation #2	<u>Seattle Police Department Manual</u> 5.002 (8) Responsibilities of Employees Concerning Complaints of Possible Misconduct: Employees Will Avoid Conflicts of Interest Regarding Complaints (Policy that was issued January 1, 2015)
OPA Finding	Not Sustained (Inconclusive)
Allegation #3	<u>Seattle Police Department Manual</u> 6.130 (9) Informant Management: Certain Activities Shall Be Restricted Between Department Employees and CIs (Policy that was issued March 20, 2013)
OPA Finding	Not Sustained (Unfounded)
Final Discipline	N/A

Named Employee #2	
Allegation #1	<u>Seattle Police Department Manual</u> 5.002 (6) Responsibilities of Employees Concerning Complaints of Possible Misconduct: Employees Must Otherwise Report Misconduct (Policy that was issued January 1, 2015)
OPA Finding	Not Sustained (Unfounded)
Final Discipline	N/A

INCIDENT SYNOPSIS

The complainant contacted SPD Communications regarding information he learned about Named Employee #1.

COMPLAINT

The complainant alleged the Named Employee may have violated policy when engaging in a relationship with the subject, an alleged SPD Confidential Informant (CI). An Unknown Employee (Named Employee #2) was added by OPA for not reporting misconduct.

INVESTIGATION

The OPA investigation included the following actions:

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

ANALYSIS AND CONCLUSION

It appeared from the evidence that approximately 16 months passed between when Named Employee #1 met the subject the night of her arrest and when he began a romantic relationship with her. Given the length of time between the two events and the lack of any evidence Named Employee #1 converted his access to her as a criminal suspect into a romantic relationship, the OPA Director found there was not a preponderance of evidence to prove this allegation. Nonetheless, the Named Employee displayed extremely poor judgment in conducting an on-going relationship with the subject given the circumstances under which he met her and her on-going activities known to him. Beginning a romantic relationship also placed Named Employee #1 and the Department in a potentially compromising and embarrassing situation.

The second allegation was related to the possibility that the subject refused to cooperate with the OPA investigation as a result of some influence on her by Named Employee #1. The Named Employee denied having any contact with the subject about this complaint. However, no other evidence to support or refute this allegation was found.

The preponderance of the evidence from this investigation showed the subject was never a CI for the Department.

No evidence was found to support the allegation that any SPD employee knew of potential or actual misconduct by Named Employee #1 with respect to his relationship with the subject.

FINDINGS

Named Employee #1

Allegation #1

The evidence showed that the Named Employee would benefit from additional training. Therefore a finding of **Not Sustained** (Training Referral) was issued for *Standards and Duties: Employees Shall Not Use Their Position or Authority for Personal Gain*.

Required Training: The Named Employee should receive specific counseling from his supervisor regarding the need to draw clear lines of separation between those persons he meets in the course of his job as a police officer (victims, witnesses, criminal suspects, etc.) and his own personal and romantic relationships.

Allegation #2

There was not a preponderance of the evidence either supporting or refuting the allegation. Therefore a finding of **Not Sustained** (Inconclusive) was issued for *Responsibilities of Employees Concerning Complaints of Possible Misconduct: Employees Will Avoid Conflicts of Interest Regarding Complaints*.

Allegation #3

A preponderance of the evidence showed the subject was never a CI for the Department. Therefore a finding of **Not Sustained** (Unfounded) was issued for *Informant Management: Certain Activities Shall Be Restricted Between Department Employees and CIs*.

Named Employee #2

Allegation #1

No evidence was found to support the allegation. Therefore a finding of **Not Sustained** (Unfounded) was issued for *Responsibilities of Employees Concerning Complaints of Possible Misconduct: Employees Must Otherwise Report Misconduct*.

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.