



CLOSED CASE SUMMARY

ISSUED DATE: JANUARY 19, 2019

CASE NUMBER: 2018OPA-0711

Allegations of Misconduct & Director’s Findings

Named Employee #1

Allegation(s):		Director’s Findings
# 1	5.001 - Standards and Duties 5. Employees Complete Work in a Timely Manner	Not Sustained (Training Referral)
# 2	5.001 - Standards and Duties 11. Employees Shall Be Truthful and Complete in All Communication	Not Sustained (Unfounded)

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:

It was alleged that the Named Employee did not complete her work in a timely and accurate manner. It was further alleged that this inaccuracy may have constituted dishonesty.

ANALYSIS AND CONCLUSIONS:

Named Employee #1 - Allegation #1

5.001 - Standards and Duties 5. Employees Complete Work in a Timely Manner

Named Employee #1 (NE#1) is assigned to the Internet Telephone Reporting Unit (ITRU). In that role, she is responsible for handling complaints of criminal activity that did not receive a dispatched response. On the date in question, NE#1 worked on a number of complaints. One of those complaints involved a report of property destruction at a construction site. The caller reported that there was damaged equipment and that “mortars” were left at the site (there was some confusion concerning this statement because of the victim’s accent). NE#1 called the number left by the victim twice, but was unable to connect with him. NE#1 then gave the report a “MIR” code, which means that she closed it out. She further categorized it as a fraud case and indicated that she wrote a report; however, she did not actually do so.

The criminal complaint was later forwarded to other Department employees and, when they searched for a report, none could be found. This issue was flagged for NE#1’s chain of command. Her supervisor evaluated what had occurred and concluded that NE#1 had failed to properly carry out her duties when she did not contact the victim, did not write a report, and then mischaracterized the case and inaccurately stated that she generated a report. The supervisor further forwarded this matter to OPA.

SPD Policy 5.001-POL-5 requires that Department employees complete work in a timely manner. The policy further states that: “Absent exigent circumstances or supervisory approval, employees will complete all required duties and official reports before going off duty.”



As part of its investigation, OPA reviewed the ITRU Manual. The Manual instructs that: “Only 2 call backs will be made, if there is no answer, the call will be cancelled”; and “No messages will be left on an answering machine.” Here, NE#1 called the victim twice. As such, she did not fail to attempt to contact the victim as her chain of command contended. Moreover, as she did not speak with the victim, she could not have written a report.

However, NE#1 did fail to properly characterize the case when she closed it. She further inaccurately indicated that she created a report. Moreover, as her chain of command asserted, NE#1 also handled this complaint when, based on the call description and the fact that it involved evidence at the scene, it should have been routed to Patrol. This was contrary to the ITRU Manual.

While NE#1 made several clear errors in this case and those errors caused her to act contrary to this policy, I do not believe that they necessarily warrant a Sustained finding. Instead, I recommend that NE#1 receive a Training Referral.

- **Training Referral:** NE#1 should receive retraining on SPD Policy 5.001-POL-5, as well as the ITRU Manual. NE#1 should further be counseled concerning this incident and should try to avoid such errors moving forward. This retraining and counseling should be documented and this documentation should be maintained in an appropriate database.

Recommended Finding: **Not Sustained (Training Referral)**

Named Employee #1 - Allegation #2

5.001 - Standards and Duties 11. Employees Shall Be Truthful and Complete in All Communication

SPD Policy 5.001-POL-11 requires Department employees to be truthful and complete in all communications. It was alleged that NE#1’s inaccurate characterization of the complaint and statement that she wrote a report when she did not do so were potentially dishonest.

The information discussed above was indisputably inaccurate. However, based on OPA’s review of the record, there is insufficient evidence to NE#1 deliberately included inaccurate information and was dishonest. Instead, I find that it was a mistake. As such, I recommend that this allegation be Not Sustained – Unfounded.

Recommended Finding: **Not Sustained (Unfounded)**