



CLOSED CASE SUMMARY

ISSUED DATE: JULY 30, 2019

CASE NUMBER: 2019OPA-0121

Allegations of Misconduct & Director’s Findings

Named Employee #1

Allegation(s):		Director’s Findings
# 1	5.001 - Standards and Duties 10. Employees Shall Strive to be Professional	Not Sustained (Unfounded)

Named Employee #2

Allegation(s):		Director’s Findings
# 1	5.001 - Standards and Duties 10. Employees Shall Strive to be Professional	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:

On February 11, 2019, the Named Employees responded to a call from the Complainant about being intimidated by her neighbor. The Complainant alleged that the Named Employees were unprofessional in their interactions with her.

ADMINISTRATIVE NOTE:

This case was designated as an Expedited Investigation. This means that OPA, with the Office of Inspector General’s review and approval, believed that it could reach and issue recommended findings based solely on its intake investigation and without interviewing the Named Employees. As such, the Named Employees were not interviewed as part of this case.

ANALYSIS AND CONCLUSIONS:

Named Employee #1 - Allegations #1

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

The Complainant asserted to OPA that she called 911 and reported that she was being intimidated by her neighbor. Named Employee #1 (NE#1) and Named Employee #2 (NE#2) responded to the call and met the Complainant in the lobby of her building. The Complainant stated that, during her interactions with the Named Employees, NE#2 was “rude”, “stand-offish,” and did not take her seriously. She further alleged that NE#1 laughed at her. She asserted that this conduct was unprofessional.



OPA's investigation revealed that the Named Employees arrived at a Downtown Emergency Service Center (DESC) facility in response to the Complainant's allegation that she was being intimidated by her neighbor. The Named Employees were told by DESC staff that a police response was not needed; however, the Named Employees still attempted to work through the issues described by the Complainant. After doing so, the Named Employees found no evidence to support the Complainant's allegations of intimidation. NE#2 reported that, after relaying this to the Complainant, the Complainant called him "psycho, crazy, and dumb." NE#2 also documented that the Complainant wanted them to leave and that they did so because there was nothing else that the Named Employees could do for her. NE#2 noted that the Complainant was unhappy with them.

OPA reviewed the Named Employees' Body Worn Video (BWV) and found no evidence to support the Complainant's recitation of the comments and actions engaged in by the Named Employees.

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.) The policy further states the following: "Any time employees represent the Department or identify themselves as police officers or Department employees, they will not use profanity directed as an insult or any language that is derogatory, contemptuous, or disrespectful toward any person." (*Id.*)

As described above, the entirety of the encounter between the Named Employees and the Complainant was recorded on BWV. In OPA's opinion, the video conclusively establishes that the Named Employees did not engage in the conduct alleged by the Complainant. The video additionally proves that the Named Employees did not make unprofessional statements or laugh at the Complainant. As such, I recommend that this allegation be Not Sustained – Unfounded as against both Named Employees.

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

Named Employee #2 - Allegations #1

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

For the same reasons as stated above (see Named Employee #1, Allegation #1), I recommend that this allegation be Not Sustained – Unfounded.

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