



## **CLOSED CASE SUMMARY**

ISSUED DATE: NOVEMBER 8, 2019

CASE NUMBER: 2019OPA-0353

### **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)

***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 Complainant alleged that the Named Employee, a call taker at the SPD Dispatch Center, was rude, accusatory, and scolded and berated her when she attempted to provide requested information.

### **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 Employee. As such, the Named Employee was not interviewed as part of this case.

### **ANALYSIS AND CONCLUSIONS:**

**Named Employee #1 – Allegation #1**

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

On May 24, 2019, the Complainant called 911 to report threats made against her by an individual (referred to here as the suspect). Her call was answered by Named Employee #1 (NE#1), a dispatcher employed by SPD. The Complainant reported that the suspect made a direct threat against her in connection with a dog bite incident the day before. NE#1 then asked: “why didn’t you call the police when he threatened you?” The Complainant answered that she had to go to the hospital first to deal with the injury, and that she then spoke to animal control. She said that she was making the police report now. NE#1 asked for a description of the suspect. The Complainant answered that he was average height and had a thin to average build, among other descriptive information. Up to this point in the conversation, both the Complainant and NE#1 were speaking calmly.

NE#1 interrupted the Complainant by saying: “Okay, I’m going to stop you there. We have to get this in a specific order.” NE#1 explained that “average” did not work as a descriptor because it was subjective. The Complainant, speaking over NE#1, asked if NE#1 could guide her through the criteria so that she could answer in the correct manner. NE#1 replied that she “was attempting to,” repeated that average was a subjective descriptor, and asked for a specific height. The Complainant provided an estimated height. Both NE#1 and the Complainant seemed



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slightly irritated at this time, but neither became noticeably escalated. NE#1 asked additional specific questions about the individual until she had sufficient information. She collected the Complainant's contact information and terminated the call by thanking the Complainant. Subsequently the Complainant contacted OPA. She alleged that NE#1 was rude and accusatory, as well as that NE#1 "scolded" and "berated" her for giving information in the "in a manner that [NE#1] deemed out of order." This investigation ensued.

As part of its investigation, OPA obtained and reviewed the records relating to the 911 call, including the audio recording of that call.

SPD Policy 5.001-POL-10 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-10.) 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.*) Lastly, the policy instructs Department employees to "avoid unnecessary escalation of events even if those events do not end in reportable uses of force." (*Id.*)

Based on OPA's review of the 911 call recording, there is an insufficient basis upon which to determine that NE#1 was unprofessional. NE#1 was clearly focused on getting sufficient information concerning the suspect's identification so that he could be located by police. While she did interrupt the Complainant at one point and explain that a specific height description was necessary and while NE#1 and the Complainant did speak over each other at times, this was done to obtain the identification of the suspect, not to be rude or dismissive to the Complainant. Moreover, while NE#1 spoke clearly and directly to the Complainant, this did not violate policy. Indeed, dispatchers are trained to succinctly gather information given the high call volumes that they handle. Notably, NE#1 never raised her voice or used dismissive or derogatory language.

While OPA understands the Complainant's frustration, the audio recording of the 911 call establishes that NE#1 did not act unprofessionally during this incident. As such, OPA recommends that this allegation be Not Sustained – Unfounded.

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