



December 17, 2024

TO: Council President Sara Nelson
Councilmember and Public Safety Chair Bob Kettle
City Attorney Ann Davison
CPC Interim Executive Director Eci Ameh
CPC Chair Joel Merkel
Inspector General for Public Safety Lisa Judge
OPA Interim Director Bonnie Glenn
SDHR Director Kimberly Loving
Complainant #1
Complainant #2¹

RE: Findings for OIG Investigation 2023OIG-0286

Introduction

I write this letter consistent with my responsibility as Mayor under Seattle Municipal Code Section 3.29.580, as enacted by Section 1 of Ordinance 126628.² Pursuant to this ordinance,³ I am providing an explanation as to my decision concerning the employment status of former Chief of Police Adrian Diaz (“Diaz”). Diaz is currently a city employee on paid administrative leave.

This type of decision is not made lightly. It is based on a comprehensive investigation that provided factual findings that suggest Diaz acted inconsistently with Seattle Police Department (“SPD”) policies.⁴

In this letter and based on the findings contained in the Investigation Report (the “Report”) and the underlying evidentiary record, I identify the SPD policies with which Diaz acted inconsistently. I will then identify the appropriate resulting disciplinary action that I intend to take.

Investigative Overview

At the outset, I rely on the following threshold determinations, all of which are substantiated by the Report.

- (1) Diaz had an intimate or romantic relationship with a former SPD employee (Employee #1);⁵
- (2) Diaz hired and then directly supervised Employee #1;⁶
- (3) Employee #1 wrote a handwritten card to Diaz that indicates a romantic or intimate relationship took place between Diaz and Employee #1;⁷

¹ There were other complainants who were anonymous, and no contact information was provided.

² See generally SMC 3.29.580, [Seattle City Ordinance 126628](#).

³ See SMC 3.29.580(A)-(C), [Seattle City Ordinance 126628](#).

⁴ See generally Investigation Report (“Report”).

⁵ *Id.* at p. 33.

⁶ *Id.* at p. 12.

⁷ *Id.* at p. 34.

(4) Diaz made direct statements/admissions to other City employees about his intimate interactions with Employee #1.⁸

In relying on the investigator's determinations, I reviewed the information provided by witnesses and considered their credibility and motives. I considered Diaz's assertions that their statements were untrue either in part or in full. I accept the analysis in the underlying Report and its conclusion that the assessment of witness credibility weighed in favor of the witnesses whose testimony supported the proposition that Diaz had a romantic relationship with Employee #1.⁹

Ultimately, these threshold determinations are supported by the evidence, both direct and circumstantial found in the Report. I further identify additional established facts that I rely upon:

- Diaz directly described to two subordinate employees – a member of his executive protection unit ("EPU#1") and a lieutenant ("LT#1") – that he was having a romantic relationship with Employee #1.¹⁰
- Diaz was written a handwritten letter from Employee #1 in which they discussed their intimacy.¹¹ While Diaz denied this,¹² the letter was found in a work vehicle that Diaz was using by a member of his executive protection unit cleaning the car ("EPU#2")¹³ and the envelope was addressed with his initials ("AZD") and the card itself was addressed to "Adrian."¹⁴ Also, a handwriting expert concluded that it was highly probable that the letter was written by Employee #1.¹⁵
- While having an intimate or romantic relationship with Employee #1, Diaz appointed Employee #1 to a position that did not exist at the time and had not formally existed for quite some time.¹⁶ Diaz stated there was a job description written and that Human Resources helped prepare it.¹⁷ However, two members of Diaz's Command Staff, who were witnesses, contradicted Diaz's claim.¹⁸ Moreover, there was no formal application process,¹⁹ and the position appeared to overlap with the Director of Strategic Communications position held by another civilian employee.²⁰
- Rather than using SPD's backgrounding unit, Diaz deviated from normal procedure and requested that EPU#1 conduct the personnel background check for Employee #1.²¹ LT#1 told Diaz that this was an inadvisable idea and outside of SPD's standard operating procedures.²² SPD has a backgrounding unit to conduct background checks.²³ EPU#1 participated in training related to background checks for the purpose of conducting Employee #1's background check, but also told Diaz he did not feel comfortable conducting the background check because of the rumors about

⁸ *Id.* at pp. 4-6.

⁹ *See id.* at pp. 34-37.

¹⁰ *Id.* at pp. 4-5.

¹¹ *Id.* at pp. 18, 33-34.

¹² *Id.* at p. 19.

¹³ *Id.* at pp. 18-19.

¹⁴ *Id.* at p. 18.

¹⁵ *Id.* at pp. 19-20.

¹⁶ *Id.* at p. 40.

¹⁷ *See id.* at p. 14; *see also* Diaz Interview #1, p. 25.

¹⁸ Report at p. 14.

¹⁹ *Id.* at p. 40.

²⁰ *Id.* at pp. 16-17.

²¹ *Id.* at p. 9.

²² *Id.* at pp. 9-10.

²³ *See id.*

Diaz and Employee #1.²⁴ LT#1 stated that he believed Diaz may have been trying to keep the information about Diaz's romantic or intimate relationship within a "tight circle."²⁵

- While employed at SPD, Employee #1 reported directly to Diaz²⁶ and Diaz placed Employee #1 on his Command Staff.²⁷ At one point, Diaz also moved his executive protection unit under Employee #1's supervision.²⁸
- SPD confirmed that Diaz did not file any conflict-of-interest notifications or disclosures regarding his relationship with Employee #1 prior to Employee #1's hire.²⁹

SPD Policy Analysis and Conclusions

Based on the factual findings in the report, I determine that Diaz acted inconsistently with the following SPD policies:

- Dishonesty – SPD Policy 5.001-POL-11
- Professionalism – SPD Policy 5.001-POL-10
- Avoiding and Disclosing Conflicts of Interest – SPD Policies 5.001-POL-18 & 5.001-POL-19
- Improper Personal Relationships – SPD Policies 5.130-POL-2 & 5.130-POL-3

A. Dishonesty – SPD Policy 5.001-POL-11³⁰

SPD Policy 5.001-POL-11 requires that SPD employees be truthful and complete in all communication. While honesty and integrity are fundamentally important characteristics for all City employees, it is even more critical that SPD officers are truthful. Stated more simply, if you lie, you cannot serve the community as a law enforcement officer.³¹

Diaz made numerous statements denying that he engaged in an intimate or romantic relationship with Employee #1.³² These statements were public statements and statements to the Mayor's Office and SPD colleagues. Relying on the factual findings in the Report, these statements were false.

²⁴ *Id.* at p. 9.

²⁵ *Id.* at p. 10.

²⁶ *Id.* at p. 12.

²⁷ *Id.* at p. 17.

²⁸ *Id.* at pp. 17-18.

²⁹ See Ashley Hiruko and Isolde Raftery, *Seattle Police Chief's Alleged Relationship with Employee Prompts Inquiries, Roils Department*, KUOW (Sep. 5, 2023), <https://www.kuow.org/stories/seattle-police-chief-s-alleged-relationship-with-employee-prompts-inquiries-roils-department>.

³⁰ SPD Policy 5.001-POL-11 states the following:

11. Employees Will Be Truthful and Complete in All Communication

Exception: Employees may use deception for a specific and lawful purpose in certain circumstances, when:

- There is an exigent threat to life safety or public safety
- It is necessary due to the nature of the employee's assignment
- There is a need to acquire information for a criminal investigation

³¹ This is not only due to the strict requirements in SPD policy, but also because of federal caselaw – specifically, *Brady v. Maryland*, 373 U.S. 83 (1963) and *Giglio v. United States*, 405 U.S. 150 (1972) – and Washington state law governing officer certification and decertification.

³² See, e.g., Hiruko and Raftery, *supra* note 29, and Jason Rantz, *Rantz Exclusive: Former Seattle Police Chief Adrian Diaz Announces He's Gay*, 770 KTTH (Jun. 17, 2024), <https://mynorthwest.com/3962729/seattle-police-chief-adrian-diaz-gay-latino-man/>.

These false statements included public comments made in response to news inquiries and as part of media interviews. When the media initially reported on the alleged relationship, a July 2023 public statement from my office noted: “The mayor’s office has asked about this and were told it’s untrue.”³³ Notably, Diaz later conducted a recorded interview where he repeatedly denied that he engaged in a romantic or intimate relationship with Employee #1 at any time.³⁴

Moreover, Diaz made false statements to multiple members of his Command Staff and read the following statement regarding Employee #1 at a Command Staff meeting: “Let’s address the rumors. I have heard rumors for the past few months. Let me be very clear: these rumors are false...”³⁵

With regard to the evidence evaluated in this investigation and findings reached in the Report, I determine that Diaz’s statements were inconsistent with SPD’s policy on dishonesty.³⁶

B. Professionalism – SPD Policy 5.001-POL-10³⁷

SPD Policy 5.001-POL-10 governs the expectation of professionalism for police officers. The policy states the following: “Regardless of duty status, employees may not engage in behavior that undermines public trust in the Department, the officer, or other officers.” While professionalism applies to all police employees, this expectation of conduct is even higher for the Chief of Police – the leader of the agency.

Diaz acted inconsistently with the Department’s professionalism policy in numerous respects. These include, but are not limited to, the information below.

First and foremost, as detailed in the Report, the Investigator determined that Diaz engaged in an intimate or romantic relationship with Employee #1.³⁸ Diaz hired Employee #1 into a Command Staff-level position

³³ Hiruko and Raftery, *supra* note 29.

³⁴ Jason Rantz, *Rantz Exclusive: Former Seattle Police Chief Adrian Diaz Announces He’s Gay*, 770 KTTH (Jun. 17, 2024), <https://mynorthwest.com/3962729/seattle-police-chief-adrian-diaz-gay-latino-man/>.

³⁵ Report at p. 21.

³⁶ Diaz’s inconsistent statements made during his OIG interviews are being evaluated in a separate OIG investigation under case number 2024OIG-0005.

³⁷ SPD Policy 5.001-POL-10 states the following:

10. Employees Will Strive to be Professional

Regardless of duty status, employees may not engage in behavior that undermines public trust in the Department, the officer, or other officers. Employees will avoid unnecessary escalation of events even if those events do not end in reportable uses of force.

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.

Employees on duty or in uniform will not publicly ridicule:

- The Department or its policies
- Other Department employees
- Other law enforcement agencies
- The criminal justice system or police profession

This applies where such expression is defamatory, obscene, undermines the effectiveness of the Department, interferes with the maintenance of discipline, or is made with reckless disregard for truth.

³⁸ Report at p. 33.

and had her report directly to him.³⁹ He failed to report this relationship either prior to or during Employee #1's employment at SPD.⁴⁰

Second, as detailed in the Report, the Investigator determined that Diaz openly discussed this sexual relationship with subordinate employees.⁴¹ This included crass and extremely personal statements about Employee #1.⁴² Making these statements in a work setting is clearly unprofessional and this conduct is even more egregious given that the statements were made by a Chief of Police to subordinate employees while on duty.

Third, by relaying information concerning his conduct to subordinate employees – most notably, EPU#1 and LT#1 – he put them in an untenable position. As the investigative record indicates, they were aware of his acts and were concerned about whether they could or should report what they knew.⁴³ They were concerned about their employment status and potential retaliation by Diaz.⁴⁴ EPU#2 was put in a similar position when he found the letter/card to Diaz from Employee #1.⁴⁵ These employees' fears were noted in their OIG interviews, during which they appeared "nervous and scared" and expressed concerns about retaliation.⁴⁶ As a department leader and Chief, he should never have placed them in that predicament.

Fourth, using his position as Chief, Diaz obtained confidential information on pending EEO investigations and then relayed that information to subordinate staff.⁴⁷ He did so in a manner that made these staff members feel intimidated and believe that they could be at risk of retaliation if they told the truth during investigation interviews.⁴⁸

Diaz's behavior and decision-making fell significantly below the standards of conduct expected for SPD and City employees and was inconsistent with SPD policy.

³⁹ *Id.* at pp. 12, 17.

⁴⁰ See Hiruko and Raftery, *supra* note 29 (stating that SPD confirmed that no conflict-of-interest notifications or disclosures were made regarding Employee #1's hire).

⁴¹ Report at pp. 4-6. For example, EPU#1 reported during his interview: "[H]e said some pretty direct things that would lead me to believe that they were in a romantic relationship." EPU#1 Interview #1, at p. 5.

⁴² *Id.* at pp. 4-5.

⁴³ See Report at pp. 22-23.

⁴⁴ EPU #1 Interview #1 at p. 11; LT#1 Interview at pp. 14-15.

⁴⁵ See Report at pp. 18-19.

⁴⁶ *Id.* at pp. 35-36.

⁴⁷ *Id.* at pp. 22-23.

⁴⁸ *Id.* at pp. 35-36.

C. Avoiding and Disclosing Conflicts of Interest – SPD Policy 5.001-POL-18⁴⁹ & 19⁵⁰

SPD Policy 5.001-POL-18 requires that employees avoid conflicts of interest. Specifically, employees shall not engage in “administrative functions that create or give the appearance of conflicts of interest.” SPD Policy 5.001-POL-19 governs the requirement for employees to “immediately disclose...any activities or relationships that may present an actual, potential, or apparent conflict of interest for themselves or other Department employees.”

As indicated above, the Report concludes that Diaz and Employee #1 engaged in an intimate or romantic relationship while Employee #1 was employed at SPD and under his direct supervision.⁵¹ This represents an actual conflict of interest as defined in SPD policy.

Diaz used his position as the Chief to hire Employee #1 – who he had a personal relationship with – into a high-level position reporting directly to him on his Command Staff.⁵² The Report indicates he made a unilateral hiring decision and did not conduct an open application process.⁵³ He further placed Employee #1 into a position that had not formally existed for quite some time, and had no job description, and included responsibilities that appeared to overlap with those held by another civilian employee.⁵⁴ Diaz further placed the executive protection unit under the supervision of Employee #1.⁵⁵ At no point did Diaz either report or avoid this conflict of interest. SPD confirmed that Diaz never disclosed the intimate relationship prior to hiring Employee #1 or during their employment.⁵⁶

⁴⁹ SPD Policy 5.001-POL-18 states the following:

18. Employees Must Avoid Conflicts of Interest

Employees will not associate with persons or organizations where such association reasonably gives the appearance of conflict of interest.

Employees will not engage in enforcement, investigative, or administrative functions that create or give the appearance of conflicts of interest.

Employees will not investigate events where they are involved. This also applies where any person with whom the employee has a personal relationship is involved in the event.

Except in cases of emergency, officers will not arrest family members, business associates, or social acquaintances.

Employees will not show preference by recommending or suggesting the employment of any attorney, bondsman, or other business during the course of, or because of, their official business as employees of the Department.

See also SMC 4.16-City Code of Ethics and 5.120 – Off-Duty Employment.

⁵⁰ SPD Policy 5.001-POL-19 states the following:

19. Employees Must Disclose Conflicts

Employees will immediately disclose to the Chief of Police, via their supervisor, any activities or relationships that may present an actual, potential, or apparent conflict of interest for themselves or other Department employees.

⁵¹ See Report at p. 33.

⁵² *Id.* at pp. 14-17.

⁵³ *Id.* at pp. 14, 40.

⁵⁴ *Id.* at p. 40.

⁵⁵ *Id.* at pp. 17-18.

⁵⁶ See Hiruko and Raftery, *supra* note 29.

Diaz's conduct was inconsistent with SPD policy.

D. Improper Personal Relationships – SPD Policy 5.130-POL-2⁵⁷ & 3⁵⁸

SPD Policy 5.130-POL-2 states that “[t]he Seattle Police Department will not knowingly place employees with a family or personal relationship in a supervisor/subordinate assignment.” This policy further directs that “[t]he Department will not place employees in assignments where it is reasonable that a family or personal relationship interest between the employees could interfere with the interests of the Department.”

SPD Policy 5.130-POL-3 further requires that “[s]upervisors and subordinates who develop a personal or family relationship with each other during the course of employment shall report the relationship....” Additionally, “[i]f the Department determines there is a reasonable possibility of a conflict of interest, or that the relationship could interfere with the interests of the Department, one of the involved employees will be transferred to another position.”

As detailed in the Report, the Investigator determined that Diaz placed Employee #1 – with whom he had a personal relationship – under his supervision.⁵⁹ This was inconsistent with SPD policy.

Moreover, even though SPD policy expressly requires a transfer to another supervisor in this situation, Diaz failed to take that action.

Due Process/Name-Clearing Meeting:

I offered Diaz an opportunity to respond to the Report and the policy violations that it raised. This meeting occurred on December 12, 2024. I fully considered Diaz's statements and the materials he provided in reaching my conclusions on findings and discipline.

⁵⁷ SPD Policy 5.130-POL-2 states the following:

2. The Department Will Avoid Placing Employees in Certain Assignments When There is a Family or Personal Relationship

The Seattle Police Department will not knowingly place employees with a family or personal relationship in a supervisor/subordinate assignment.

The Department will not place employees in assignments where it is reasonable that the family or personal relationship interest between the employees could interfere with the interests of the Department.

⁵⁸ SPD Policy 5.130-POL-3 states the following:

3. Employees Must Report the Development of Personal Supervisor/Subordinate Relationships

Supervisors and subordinates who develop a personal or family relationship with each other during the course of employment shall report the relationship to the Human Resources lieutenant.

If the Department determines there is a reasonable possibility of a conflict of interest, or that the relationship could interfere with the interests of the Department, one of the involved employees will be transferred to another position. Applicable collective bargaining agreements will govern the transfer.

⁵⁹ Report at p. 12.

Diaz made five primary assertions. First, he asserted that his relationship with Employee #1 was platonic. Second, he criticized the objectivity of the investigation. Third, he called into question the credibility of multiple witnesses. Fourth, he claimed that he identified witnesses who were not interviewed by the investigator. Fifth, he asserted that the investigator failed to obtain and review his phone records after they were requested, even though he purportedly offered to provide them during the investigation.

None of these assertions raise new evidence or information not already considered in the Report or adequately challenged the quality, objectivity, or thoroughness of the investigation.

The investigator considered the credibility of all the witnesses – most notably EPU#1, EPU#2, and LT#1.⁶⁰ I deem the investigator’s findings on this matter to be supported by the evidence.

The investigator also explained the decision to not interview every witness identified by Diaz.⁶¹ At the due process/name-clearing meeting, Diaz provided no information indicating that the investigator’s decision was in error, nor did he name any witnesses – let alone new witnesses – who possessed purportedly exculpatory testimony. Further, he did not provide a list of additional witnesses for me to consider.

Lastly, Diaz’s contention that the investigator did not follow up on the request to inspect his personal phone is not persuasive. The investigator communicated with Diaz and his attorney on several occasions concerning the phone. The investigator provided guidance on the limits of the search and, on November 5, 2024, offered a potential vendor to conduct the search. After not receiving a response, the investigator again emailed Diaz and his attorney on November 15, 2024. Neither Diaz nor his attorney responded. To date, Diaz has not provided his phone for inspection.

Disciplinary Determination

Ultimately, my decision is based on the Report and the information available that substantiates the Report.

I make the following disciplinary determination:

1. Termination of employment from the Seattle Police Department.

Sincerely,



Bruce A. Harrell
Mayor of Seattle

⁶⁰ *Id.* at p. 33-37.

⁶¹ *Id.* at p. 37.