



OFFICE OF PROFESSIONAL ACCOUNTABILITY

Closed Case Summary

Complaint Number OPA#2015-1138

Issued Date: 04/14/2016

Named Employee #1	
Allegation #1	<u>Seattle Police Department Manual</u> 5.001 (9) Employees Shall Strive to be Professional at all Times (Policy that was issued 04/01/2015)
OPA Finding	Sustained
Allegation #2	<u>Seattle Police Department Manual</u> 5.001 (9) Employees Shall Not Use Their Authority of Position for Personal Gain (Policy that was issued 04/01/2015)
OPA Finding	Not Sustained (Inconclusive)
Final Discipline	5 Day Suspension

INCIDENT SYNOPSIS

The Named Employee was not at work.

COMPLAINT

The complainant, a member of another law enforcement agency, alleged that the Named Employee was drunk in public, caused a disturbance, resisted arrest, threatened officers, and urinated on public property while off duty. In addition, the complainant alleged that the named employee repeatedly stated that he was a SPD officer in "attempts to grant favour".

INVESTIGATION

The OPA investigation included the following actions:

1. Review of the complaint email
2. Interview of the complainant
3. Interview of witnesses
4. Review of other video
5. Search for and review of all relevant records and other evidence
6. Interview of SPD employees

ANALYSIS AND CONCLUSION

The OPA investigation documented that the Named Employee was intoxicated in public and created a disturbance. The Named Employee was contacted by a pair of uniformed law enforcement personnel and arrested. He was uncooperative during the arrest, but not assaultive. During his contact with the two uniformed law enforcement personnel, the Named Employee identified himself as a police officer. While he did not ask for any specific favors due to his status as a police officer, it was speculated by one of the two law enforcement personnel that he was identifying himself as a police officer to avoid being arrested. They did take the Named Employee into custody, placed him into a detention cell for seven hours, and then released him on a citation pursuant to their routine procedure, which the Named Employee subsequently paid.

FINDINGS

Named Employee #1

Allegation #1

The weight of the evidence showed that the Named Employee was unprofessional. Therefore a **Sustained** finding was issued for *Employees Shall Strive to be Professional at all Times*.

Allegation #2

The evidence neither supports nor refutes the allegation that the Named Employee was trying to use his position to receive personal gain. Therefore a finding of **Not Sustained** (Inconclusive) was issued for *Employees Shall Not Use Their Authority of Position for Personal Gain*.

Discipline imposed: 5 Day Suspension

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.