



OFFICE OF PROFESSIONAL ACCOUNTABILITY

Closed Case Summary

Complaint Number OPA#2016-0116

Issued Date: 10/25/2016

Named Employee #1	
Allegation #1	<u>Seattle Police Department Manual</u> 5.002 (9) Responsibilities of Employees Concerning Complaints of Possible Misconduct: Employees Will Report Certain Events (Policy that was issued January 1, 2015)
OPA Finding	Not Sustained (Training Referral)
Allegation #2	<u>Seattle Police Department Manual</u> 5.001 (2) Standards and Duties: Employees Must Adhere to Laws, City Policy and Department Policy (Policy that was issued April 1, 2015)
OPA Finding	Not Sustained (Unfounded)
Final Discipline	N/A

INCIDENT SYNOPSIS

The Named Employee was interviewed by the local police department in the city where he resided.

COMPLAINT

The complainant, a supervisor within the Department, advised that the Named Employee was notified of being part of a criminal investigation and failed to report this to SPD.

INVESTIGATION

The OPA investigation included the following actions:

1. Review of the complaint memo
2. Review of the criminal investigation
3. Search for and review of all relevant records and other evidence
4. Interviews of SPD employees

ANALYSIS AND CONCLUSION

The complainant alleged the Named Employee failed to report to his supervisor that he was the subject of a criminal investigation. The preponderance of the evidence from the OPA investigation showed the Named Employee was the subject of a criminal investigation by the police department in the city where he resided. The evidence also showed the Named Employee was interviewed by the police about the incident. However, the Named Employee told OPA he was never told the inquiry had become a criminal investigation. Statements by representatives from the local agency indicated the Named Employee was never directly told this. At the same time, it would have been prudent for the Named Employee to notify supervisor following the interview by the police. The Named Employee should be counseled by his supervisor to report when in doubt.

The complainant alleged that the Named Employee may have violated the law in connection with the matter under investigation by his local police department. The preponderance of the evidence did not support this allegation.

FINDINGS

Named Employee #1

Allegation #1

The evidence showed the Named Employee was interviewed by the police, however, statements by representatives from the local agency indicated the Named Employee was never directly told the inquiry had become a criminal investigation. At the same time, it would have been prudent for the Named Employee to notify his supervisor following the interview. Therefore a finding of **Not Sustained** (Training Referral) was issued for *Responsibilities of Employees Concerning Complaints of Possible Misconduct: Employees Will Report Certain Events*.

Required Training: The Named Employee's chain of command should counsel the Named Employee regarding the importance of notifying his supervisor when he is aware he may be the subject of a criminal investigation.

Allegation #2

The preponderance of the evidence did not support this allegation. Therefore a finding of **Not Sustained** (Unfounded) was issued for *Standards and Duties: Employees Must Adhere to Laws, City Policy and Department Policy*.

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.