



CLOSED CASE SUMMARY

ISSUED DATE: MAY 8, 2018

CASE NUMBER: 2018OPA-0049

Allegations of Misconduct & Director’s Findings

Named Employee #1

Allegation(s):		Director’s Findings
# 1	5.001 - Standards and Duties 12. Employees Shall Not Use Their Position or Authority for Personal Gain	Not Sustained (Unfounded)
# 2	5.001 - Standards and Duties 2. Employees Must Adhere to Laws, City Policy and Department Policy	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 Anonymous Complainant alleged that Named Employee #1 parked in the Sea-Park garage without proper authorization. The Anonymous Complainant further alleged that Named Employee #1 worked from home and allowed another employee to work from home, but that Named Employee #1 did not extend this privilege to anyone else in her unit.

ANALYSIS AND CONCLUSIONS:

Named Employee #1 - Allegation #1

5.001 - Standards and Duties 12. Employees Shall Not Use Their Position or Authority for Personal Gain

The Anonymous Complainant alleged that Named Employee #1 (NE#1) parked in the Sea-Park garage (a garage adjacent to SPD Headquarters) without paying for that parking. As such, the Anonymous Complainant alleged that NE#1 was using her position as a police officer and associated access to the Sea-Park garage for personal financial gain; namely, that she saved “thousands of dollars” in parking costs by doing so. OPA interpreted the Anonymous Complainant’s claims to assert that NE#1 had violated SPD Policy 5.001-POL-12, which prohibits SPD employees from using their position or authority for personal gain.

As discussed more fully below, the Anonymous Complainant’s allegations were criminally investigated and deemed unfounded. Simply stated, it was conclusively determined that NE#1 was permitted to park in the Sea-Park garage as a function of her assignment. For this reason, I recommend that this allegation be Not Sustained – Unfounded.

I further note that the Anonymous Complainant also contended that Named Employee #1 worked from home and that she allowed another employee that she supervised to work from home. The Anonymous Complainant claimed that NE#1 did not extend this privilege to anyone else in her unit. Based on OPA’s review of the SPD Manual, this did not appear to violate any policy. Accordingly, this aspect of the Anonymous Complainant’s allegations was not investigated by OPA.



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

Named Employee #1 - Allegation #2

5.001 - Standards and Duties 2. Employees Must Adhere to Laws, City Policy and Department Policy

The Anonymous Complainant alleged that, by parking at the Sea-Park garage without proper authorization, NE#1 had “cheated the City of Seattle out of Thousands of dollars.”

SPD Policy 5.001-POL-2 requires that SPD employees adhere to laws, City policy, and Department policy. If NE#1 was using her access to Sea-Park garage to park without paying for that parking, it could have constituted the theft of City funds in violation of law. For this reason, after receiving the complaint, OPA referred this matter to SPD for criminal investigation.

The criminal investigator determined that, during the time that NE#1 parked in the Sea-Park garage, she was a member of the Mayor’s security detail. As such, she had authorization to park there. Accordingly, she did not engage in criminal behavior by doing so.

Given that NE#1 was authorized to park in the Sea-Park garage, she did not engage in a theft of City funds. Accordingly, I recommend that this allegation be Not Sustained – Unfounded.

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