



CLOSED CASE SUMMARY

ISSUED DATE: JANUARY 10, 2020

CASE NUMBER: 2019OPA-0522

Allegations of Misconduct & Director's Findings

Named Employee #1

Allegation(s):		Director's Findings
# 1	5.001 - Standards and Duties 11. Employees Shall Be Truthful and Complete in All Communication	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 was dishonest during his Personal History Interview (PHI) and background check process completed during hiring, and that he had been arrested for assault.

ANALYSIS AND CONCLUSIONS:

Named Employee #1 - Allegations #1

5.001 - Standards and Duties 11. Employees Shall Be Truthful and Complete in All Communication

On July 27, 2019, OPA received an anonymous complaint alleging that Named Employee #1 (NE#1) "lied in several aspects of his PHI and background," and that he had been "arrested before and has committed several assaults." This OPA investigation ensued.

As part of its investigation, OPA reviewed NE#1's personnel file. During his initial hiring process, NE#1 was fingerprinted and subjected to a Washington State and national criminal background check. NE#1's answers to the PHI were verified using a polygraph examination. NE#1 passed his initial background check, and OPA's investigation determined that NE#1 had not been arrested or convicted for any crimes. OPA requested that SPD HR conduct a further record check for NE#1 up to August 6, 2019. The results of that check indicated that NE#1 had not been arrested for any crimes in Washington State or, for that matter, in any other state.

SPD Policy 5.001-POL-11 requires Department employees to be truthful and complete in all communications.

Based on its investigation, OPA found no evidence supporting a determination that NE#1 was untruthful. Notably, when asked by OPA to conduct a further inquiry, SPD HR discovered no new information that would cast doubt on the outcome of the initial background investigation, which carefully examined NE#1's criminal history and background and uncovered nothing that indicated a lack of fitness to serve as a police. Ultimately, because the Complainant's complaint contained no evidence establishing that the background investigation was inadequate, OPA believes that the allegation that NE#1 failed to tell the truth is meritless. Accordingly, OPA recommends that this allegation be Not Sustained – Unfounded.

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