



OFFICE OF PROFESSIONAL ACCOUNTABILITY

Closed Case Summary

Complaint Number OPA#2014-0358

Issued Date: 02/17/2015

Named Employee #1	
Allegation #1	Seattle Police Department Manual 10.010 (I) Parking at Department Facilities (Policy was effective 4/28/05 - 1/20/14)
OPA Finding	Not Sustained (Management Action)
Final Discipline	N/A

INCIDENT SYNOPSIS

The named employee had permission to park his authorized personal vehicle in a parking garage that the City of Seattle had leased spaced for authorized city employees. The spaces leased for use by the Seattle Police Department are on the two upper floors of the parking garage. The named employee was not aware of any restrictions placed on where he could park in the garage. He routinely parked his car on a lower floor of the parking garage.

COMPLAINT

An anonymous complainant alleged that the named employee had parked his personal vehicle on the 1st floor of the parking garage for years when the named employee was only authorized to park on the upper two floors reserved for SPD parking. The complainant further alleged that this was taking away funds from the parking garage that could be earned by another paying customer.

INVESTIGATION

The OPA investigation included the following actions:

1. Review of the complaint e-mail
2. Consultation with the Seattle Ethics and Elections Commission
3. Interviews of witnesses
4. Interviews of SPD employees

ANALYSIS AND CONCLUSION

Based on the investigation, there was no reference found in the Seattle Police Manual or any governing policy of the parking garage that limited SPD authorized personnel to parking only on the two upper floors of the garage. The garage manager was not aware of any written policy that limited SPD authorized personnel to certain floors but thought it was just understood that they should only park on the two upper floors of the parking garage.

FINDINGS

Named Employee #1

There was no evidence to support that the named employee knew he was parking where he should not, and there is no evidence to prove that his actions deprived the parking garage of revenue. At the same time, if the City's intent to require SPD personnel with daily parking privileges in this garage to park only on certain floors, this needs to be clearly communicated to those employees. Therefore a finding of **Not Sustained** (Management Action) was issued for *Parking at Department Facilities*.

The OPA Director's letter of Management Action recommendation to the Chief of Police is attached to this report.

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.



City of Seattle

Office of Professional Accountability

February 13, 2015

Chief Kathleen M. O'Toole
Seattle Police Department
PO Box 34986
Seattle, WA 98124-4986

RE: MANAGEMENT ACTION RECOMMENDATION (OPA2014-0358)

Dear Chief O'Toole:

OPA recently investigated an integrity allegation made against an employee of the Seattle Police Department (SPD). The complainant alleged that the employee, who had authorization to park in the secure parking section of the SeaPark garage set aside for SPD, was depriving the City of potential parking revenue by routinely parking in an area of the garage other than the SPD secure area. The OPA investigation into this complaint revealed the fact that no clear written guidelines exist with respect to whether or not employees authorized to park in the SPD secure area are permitted to park in other areas of the garage. In addition, we found that the City's parking rules for employees are several years old, out of date and not referenced in the current SPD manual. This situation caused confusion for SPD employees and, as is the case in the allegation referenced above, exposes employees to the distress of being accused of ethical wrong-doing.

Recommendation: It is recommended that the SPD Policy Manual be amended to provide clear guidance to SPD employees concerning where they may and may not park in the SeaPark garage.

Thank you for your timely consideration of this recommendation. I look forward to receiving a response as soon as possible indicating whether or not you intend to act on it and regular updates until any stated action has been completed.

Sincerely,

A handwritten signature in blue ink that reads "Pierce Murphy".

Pierce Murphy
Director, Office of Professional Accountability