



## OFFICE OF PROFESSIONAL ACCOUNTABILITY

### Closed Case Summary

Complaint Number OPA#2016-1481

Issued Date: 06/08/2017

Named Employee #1	
Allegation #1	<u>Seattle Police Department Manual</u> 5.001 (9) Standards and Duties: Employees Shall Strive to be Professional at all Times (Policy that was issued April 1, 2015)
OPA Finding	<b>Not Sustained</b> (Inconclusive)
Allegation #2	<u>Seattle Police Department Manual</u> 5.120 (IV. F.) Secondary Employment: Secondary Employment Permit (form 1.30): All Secondary Employment Permits (form 1.30) are valid for one year (Policy that was issued March 19, 2014)
OPA Finding	<b>Not Sustained</b> (Training Referral)
Final Discipline	N/A

#### **INCIDENT SYNOPSIS**

The complainant had an interaction with the Named Employee while the Named Employee was controlling traffic.

#### **COMPLAINT**

The complainant alleged that the Named Employee, while working off-duty in a traffic control capacity, stopped traffic to let a parent pick up a child from a school, which the complainant did not think was appropriate. When the complainant attempted to complain, the Named Employee

told him to "shut up," and "you don't know what you're talking about." It was further alleged that the Named Employee had an expired Off Duty Work permit.

## **INVESTIGATION**

The OPA investigation included the following actions:

1. Interview of the complainant
2. Search for and review of all relevant records and other evidence
3. Review of In-Car Videos
4. Interviews of SPD employees

## **ANALYSIS AND CONCLUSION**

The OPA investigation was unable to find a preponderance of evidence to either prove or disprove the allegation. The complainant recalled the conversation differently than the Named Employee.

The preponderance of the evidence showed the Named Employee was working off-duty without a valid permit as required by policy. It also was clear this was an unintentional oversight on the part of the Named Employee.

## **FINDINGS**

### **Named Employee #1**

#### Allegation #1

There was not a preponderance of the evidence either supporting or refuting the allegation. Therefore a finding of **Not Sustained** (Inconclusive) was issued for *Standards and Duties: Employees Shall Strive to be Professional at all Times*.

#### Allegation #2

The evidence showed that the Named Employee would benefit from additional training. Therefore a finding of **Not Sustained** (Training Referral) was issued for *Secondary Employment: Secondary Employment Permit (form 1.30): All Secondary Employment Permits (form 1.30) are valid for one year*.

**Required Training:** The supervisor should remind the Named Employee of his obligation to have all secondary employment permits current and valid.

*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.*