



CLOSED CASE SUMMARY

ISSUED DATE: OCTOBER 22, 2018

CASE NUMBER: 2018OPA-0409

Allegations of Misconduct & Director’s Findings

Named Employee #1

Allegation(s):		Director’s Findings
# 1	5.001 - Standards and Duties 10. Employees Shall Strive to be Professional	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 engaged in unprofessional behavior when he threatened her.

ADMINISTRATIVE NOTE:

This case was designated as an Expedited Investigation. This means that OPA, with the OPA Auditor’s review and approval, believed that it could reach and issue a recommended finding based solely on its intake investigation and without interviewing the Named Employee. As such, the Named Employee was not interviewed as part of this case.

ANALYSIS AND CONCLUSIONS:

Named Employee #1 - Allegations #1

5.001 - Standards and Duties 10. Employees Shall Strive to be Professional

Officers responded to a call concerning a woman – later identified as the Complainant – who was potentially in crisis. She was reported to have screamed “get out” and “don’t touch me.” Officers, including Named Employee #1 (NE#1), made contact with the Complainant. She was yelling and making comments regarding someone who was threatening her. When officers tried to engage with her further, she contended that NE#1 had threatened her. Based on her claim, NE#1 self-reported and summoned a supervisor to the scene. The supervisor tried to locate the Complainant to get a statement from her but was unable to find her. The supervisor made an OPA referral based on the Complainant’s allegations against NE#1.

SPD Policy 5.001-POL-10 requires that SPD employees “strive to be professional at all times.” The policy further instructs that “employees may not engage in behavior that undermines public trust in the Department, the officer, or other officers.” (SPD Policy 5.001-POL-10.) The policy further states the following: “Any time employees represent the Department or identify themselves as police officers or Department employees, they will not use profanity directed as an insult or any language that is derogatory, contemptuous, or disrespectful toward any person.” (*Id.*) Lastly, the policy instructs Department employees to “avoid unnecessary escalation of events even if those events do not end in reportable uses of force.” (*Id.*)



If, as the Complainant asserted, NE#1 threatened her, this would have violated the Department's professionalism policy. However, the evidence is clear that this never occurred. Indeed, the entire interaction between NE#1 and the Complainant was captured on Body Worn Video (BWV). The BWV conclusively established that NE#1 did not engage in any unprofessional or inappropriate behavior during this incident. For these reasons, I recommend that this allegation be Not Sustained – Unfounded.

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