



CLOSED CASE SUMMARY

ISSUED DATE: JUNE 4, 2019

CASE NUMBER: 2019OPA-0176

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	Sustained

Imposed Discipline

Oral Reprimand

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, on March 17, 2019, Named Employee #1 (NE#1) threatened to pull her over after NE#1 passed the Complainant on a one-lane road while driving to a scene. OPA's intake investigation established that NE#1 was responding to a "shots fired" call at a Seattle park. NE#1's ICV showed the Complainant's car driving down a single-lane road as NE#1's patrol vehicle approached from behind. As NE#1 got closer to the Complainant's car, NE#1 used her siren and honked her horn. The Complainant's car moved slightly to the right, but there was not enough room for NE#1 to drive around the Complainant. NE#1 then drove up onto the curb to pass by. When the vehicles were next to each other, the ICV audio captured NE#1 saying, "seriously?" A female, who was later identified as the Complainant, responded from inside of her car: "What you want us to do, we're trying to get out of the way?" NE#1 then backed up her patrol vehicle and told the Complainant and the other occupant of the car: "You know what, watch your mouth or I'll pull you over and ID you and delay even longer." It was alleged that these statements were unprofessional and, as such, may have violated SPD Policy 5.001-POL-10.

ADMINISTRATIVE NOTE:

NE#1 sent an email to OPA requesting that this case be considered for Rapid Adjudication (RA). RA is provided for in the Seattle Police Officers’ Guild’s collective bargaining agreement (CBA) with the City. It allows, among other things, for employees to recognize that their conduct was inconsistent with Department policies and standards, and to accept discipline for the policy violation rather than undergoing a full OPA investigation.

After conducting its intake investigation, OPA agreed that RA was appropriate for this case, and pursuant to the procedure set forth in the CBA, OPA forward to the Chief of Police its recommended disposition as well as proposed discipline in the form of a verbal reprimand. The Chief of Police concurred with OPA’s recommended findings and proposed discipline, NE#1 also agreed to the discipline and, in doing so, stipulated that the finding and discipline were final and could not be appealed or otherwise later disputed.



CONCLUSIONS:

Named Employee #1 - Allegations #1

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

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.)

As discussed above, NE#1 engaged in behavior with the Complainant and the other occupant of the car that appeared to violate SPD Policy 5.001-POL-10. By requesting and then agreeing to proceed with RA, NE#1 recognized that her actions in this case violated the Department’s professionalism policy. OPA appreciates and commends NE#1 for taking accountability for her actions and for utilizing RA for this case.

By agreeing to proceed with RA, NE#1 further accepted the discipline recommended by OPA and issued by the Chief of Police. As such, OPA recommends that this allegation be Sustained – Rapid Adjudication. This finding is both final and binding.

Recommended Finding: **Sustained - Rapid Adjudication**