



OFFICE OF PROFESSIONAL ACCOUNTABILITY

Closed Case Summary

Complaint Number OPA#2015-0504

Issued Date: 10/19/2015

| Named Employee #1 | |
|-------------------|--|
| Allegation #1 | <u>Seattle Police Department Manual 5.140 (2) Officers Will Not Engage in Bias-Based Policing</u> (Policy that was issued 01/30/2014) |
| OPA Finding | Not Sustained (Unfounded) |
| Allegation #2 | <u>Seattle Police Department Manual 5.001 (9) Employees Shall Strive to be Professional at all Times</u> (Policy that was issued 07/16/2014) |
| OPA Finding | Not Sustained (Training Referral) |
| Final Discipline | N/A |

INCIDENT SYNOPSIS

SPD employees were on duty during a protest.

COMPLAINT

A criminal defense attorney reported to the Seattle City Attorney's Office that the named employee appeared to have used a racial slur when referring to her client during a protest march. The comment at issue was captured on In-Car Video. This allegation was forwarded to OPA by the Seattle City Attorney's Office.

INVESTIGATION

The OPA investigation included the following actions:

1. Review of the complaint email
2. Review of In-Car Video
3. Forensic Solutions Video Analysis Report
4. Search for and review of all relevant records and other evidence
5. Interview of SPD employees

ANALYSIS AND CONCLUSION

OPA requested forensic video analysis of the In-Car Video (ICV) to attempt to determine what the named employee said on the recording. It was determined that the named employee did not use a racial slur. The named employee brought attention to himself not because he was using course language when speaking with the public, rather during a portion of the dialogue inside the patrol vehicle not intended to be heard by the public. SPD employees should strive to be is professional at all times.

FINDINGS

Named Employee #1

Allegation #1

The evidence showed that the named employee did not use a racial slur. Therefore a finding of **Not Sustained** (Unfounded) was issued for *Officers Will Not Engage in Bias-Based Policing*.

Allegation #2

The evidence showed that the named employee may not have spoken in a professional manner while on duty. Therefore a finding of **Not Sustained** (Training Referral) was issued for *Employees Shall Strive to be Professional at all Times*.

Required Training: The supervisor of the named employee should provide counseling and coaching regarding the importance of speaking and acting while on-duty in a manner that is professional and a credit to himself and the Department. The named employee should be reminded that SPD vehicles equipped with ICV have inside microphones and to assume that conversations are likely to be recorded and subject to public disclosure.

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.