

Seattle Police Department DISCIPLINARY ACTION REPORT		FILE NUMBER OPA 21-0013	
RANK/TITLE Officer	NAME Caitlin Everett	SERIAL NUMBER 8566	UNIT A810X

SUSTAINED ALLEGATIONS:

Violation of Seattle Police Department Policy & Procedure Manual Sections:

- **5.001 - Standards and Duties 2. Employees Must Adhere to Laws, City Policy and Department Policy**
- **5.001 - Standards and Duties 10. Employees Shall Strive to be Professional**
- **5.002 - Responsibilities of Employees Concerning Alleged Policy Violations 6. Employees Will Report Alleged Violations**

Specification:

On January 6, 2021, you were one of thousands of people who gathered on the Capital grounds in Washington, D.C. as members of Congress counted electoral votes and certified the 2020 Presidential election. A group of demonstrators breached the outermost barriers at the west entrance of the Capitol grounds, pushing past and actively assaulting law enforcement officers. United States Capitol Police (USCP) officers in riot gear worked to hold the crowd in front of the Capitol steps. The demonstration was declared “effectively a riot” shortly before 2:00 p.m. Crowds clashed violently with police, breached the barricades, broke down a door, smashed the windows, and gained access to the Capital Building itself.

You estimated that you arrived on the Capital grounds by approximately 2:30 p.m., after the incident was deemed a riot and the building had been breached. Still photographs provided by the FBI show you standing directly next to the side of the Capital Building. Nearby, and within your line of vision, numerous people were scaling a stone wall to the Capital steps, climbing the scaffolding, and crowds were surrounding the building.

Employee Response:

During your interview with OPA, you claimed that you stayed on the grass around 30-50 yards away from the building and never saw any signs of a disturbance. You stated that the people in your vicinity were simply talking, waving flags, and standing in the grass. You declined to attend your Loudermill, but your representative provided a statement on your behalf. In it, you stated that you condemned the actions of those who engaged in violent acts. You stated that you had no idea that the event had turned violent, that nothing in your view indicated ongoing violence, and that you left as soon as practical after getting the Mayor’s emergency message announcing a curfew.

Policies at Issue:

Department Policy 5.001-POL-2 requires that employees adhere to laws, City policy, and Department policy. You admitted trespassing on January 6. You asserted that you did not know that you had done so until after the fact and described your actions as observing peaceful occurrences at the Capitol. You said that you saw no sign that you were in a prohibited location and were therefore not culpable for trespassing. This assertion is not credible.

There was an active insurrection ongoing at the same time that you were in the immediate vicinity of the Capitol Building. This included rioters assaulting law enforcement officers and making forced entries into the building. There were numerous restrictions in place, from visible "No Trespassing" signs to fence lines staffed by clearly marked officers. These restrictions made clear that being in the location you were in was impermissible. Further, the video stills show you standing in the immediate vicinity of the Capitol Building and contradict your claim that you were unaware that you were trespassing or that this was anything other than a peaceful protest. The still footage from the video makes it abundantly clear that you were in direct view of rioters lining the steps and climbing the walls. There were multiple indications that being in this area was impermissible and that the conduct of the crowd had moved past any potential peaceful protest stage into illegal acts of many kinds. You are a police officer who has worked in demonstration management. It defies belief that you could think this situation was "peaceful" or that you were not on notice that you were trespassing.

Your actions violated DC Code D.C. Code § 22-3301 (unlawful entry), which makes it a crime to, without lawful authority, enter or attempt to enter, any public building, or other property, or part of such building, or other property, against the will of the lawful occupant or of the person lawfully in charge thereof or his or her agent, or being therein or. Even had you been unaware that you were trespassing, ignorance of the law is not a defense. This is the case for a community member and, even more so, for a police officer. When you trespassed, you violated Washington, D.C. law.

Department Policy 5.001-POL-10 requires that 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." You criminally trespassed in the immediate vicinity of the Capitol Building while a riot was ongoing. You added to the crowd of people within the restricted area with whom law enforcement had to contend, and by taking no constructive action. Your behavior greatly diminished public trust and confidence in you, in other law enforcement officers, and in the Department as a whole.

Department Policy 5.002-POL-6 requires that employees must report potential serious misconduct to a supervisor or directly to OPA. You knew or should have known that your actions constituted potential criminal trespass, as such, you were required to self-report to a supervisor or OPA but did not do so. You stated in the investigation that you were unable to report because you were immediately put on administrative leave and ordered not to discuss the matters being reviewed. Your actions occurred on January 6; you were placed on leave on January 9. You had ample time to report potential misconduct and did not do so.

Determination of the Chief:

As a police officer, you have sworn to uphold laws and the Constitution. Yet on the afternoon of January 6, you violated the law and stood in the midst of an attempted insurrection. Your unlawful presence provided the appearance that you, a member of the Seattle Police Department, supported an unlawful insurrection and greatly undermined the public trust in you and all law enforcement officers. A central function of a law enforcement officer is to uphold the law and keep the peace and your actions fell far short of that.

Members of this police service do not forgo their ability to express themselves when they work for the Seattle Police Department. However, the Seattle Police Department has both the right and the responsibility to address behavior of employees when it includes actual or threatened violence and/or the violation of law. Such behavior can deeply impact the public's trust of law enforcement and negatively impact the Department's ability to serve

the public.

Throughout this investigation and disciplinary process, you have attempted to portray your actions as participation in a political event. Had you limited your activities on January 6 to attending a non-violent political rally and speech, you would not be receiving discipline, as is clear from the unsustained findings issued to other employees in this same investigation. This discipline is simply and unequivocally not based on your attendance at a rally in support of a candidate or position. It is based on your involvement in a riot at the Capital Building. You betrayed the incredible and harrowing work by other officers on January 6 and deeply damaged our relationship with those we serve.

For the reasons noted above and after full and fair consideration of your employment history and all of the facts before me, I have determined that your employment with the Department should be terminated. The professionalism and violation of law policies are serious enough that each of these findings alone would merit termination of employment under the circumstances of this case.

Final Discipline

Termination of Employment

DATE

08-06-2021

BY ORDER OF

CHIEF OF POLICE

APPEAL OF FINAL DISPOSITION

Appeals to a Commission:

SWORN EMPLOYEES: Public Safety Civil Service Commission

See Seattle Municipal Code 4.08.100. Employee must file written demand within ten (10) days of a suspension, demotion or discharge for a hearing to determine whether the decision to suspend, demote or discharge was made in good faith for cause. Information on the process for filing a claim with the Public Safety Civil Service Commission may be found on the Commission's website.

CIVILIAN EMPLOYEES: Civil Service Commission

Before filing an appeal with the Civil Service Commission regarding suspension, demotion, or termination an employee must first go through the Employee Grievance Procedure provided by Personnel Rule 1.4. In order to comply with Rule 1.4, the employee must file the grievance within 20 calendar days of receiving the notice of the appointing authority's decision to impose discipline. After exhausting the Employee Grievance Procedure, if the employee is still dissatisfied, the employee must file his/her appeal with the Civil Service Commission within 20 calendar days of the delivery of the Step Three grievance response. See also SMC 4.04.240, 4.04.260, and Personnel Rules 1.4.

PROBATIONARY EMPLOYEES: Pursuant to SMC 4.04.030 and 4.04.290, employees who have been appointed to a position within the classified service but who has not completed a one (1) year period of probationary employment are "probationary employees" and are subject to dismissal without just cause. An employee dismissed during their probationary period shall not have the right to appeal the dismissal. SMC 4.04.290 and City of Seattle Personnel Rule 1.3.2E.

Alternative Appeal Options for Represented Employees:

Consult your collective bargaining agreement or union representative to determine eligibility, notice periods, and details of the disciplinary grievance process. Any remedy available through a collective bargaining agreement is an alternative remedy and not in addition to an appeal to the Public Safety Civil Service Commission or Civil Service Commission.