OLEO2024-005

Executive Summary

Date of Incident	December 4, 2024
Location of Incident	Maleng Regional Justice Center
Date of Complaint	December 4, 2024
Corresponding IIU Case Number	IIU2024-310
Allegation Types	Discrimination; Acts in Violation of Sheriff's Office Directives Rules, Policies, or Procedures

On January 28, 2025, the King County Sheriff's Office (Sheriff's Office) Internal Investigations Unit (IIU) notified the Office of Law Enforcement Oversight (OLEO) of a complaint it received from a community member alleging she was discriminated against by security at the Maleng Regional Justice Center. Specifically, the complainant alleged that a sergeant refused to listen to her while breaking up her argument with another woman because she was wearing a hijab, and that a marshal threatened to kick her out of the courthouse because she wanted to make a complaint about the officers. During its investigation, OLEO conducted a cognitive interview of the complainant and three witnesses; reviewed security camera video of the incident; and interviewed the subject employees jointly with IIU investigators.

OLEO recommends the allegations of Discrimination and Inappropriate Conduct against the sergeant be **exonerated** because the evidence uncovered in this investigation established that his conduct towards the complainant was lawful and proper. OLEO further recommends that the allegation of Acts in Violation of Sheriff's Office Directives, Rules, Policies, or Procedures against the marshal be **Unfounded** because there was no factual basis for the allegation.

Allegations and Findings

Sheriff's Office Personnel	Allegation	Finding
Sergeant Clifford Hooper	Discrimination, Harassment, or Retaliation	Exonerated
	Inappropriate Conduct	Exonerated
Marshal Bradley McClennen	Acts in Violation of Sheriff's Office Directives, Rules, Policies, or Procedures	Unfounded

Applicable Laws and GOM Policies[1]

1. GOM 3.00.020(3): Performance Standards
2. GOM 3.00.015(1)(d): Discrimination, Harassment, or Retaliation
3. GOM 3.00.015(2)(g): Inappropriate Conduct
4. GOM 3.03.015(3)(d): Receiving Complaints

[1] The General Orders Manual (GOM) contains policies of the Sheriff's Office. Policies applied are those that were in effect when the underlying incident giving rise to the complaint occurred.

Investigative Summary

Interviews

OLEO conducted interviews with:

1. [redacted] (complainant)
2. [redacted] (witness)
3. [redacted] (witness)
4. [redacted] (witness)
5. Sergeant Clifford Hooper (subject employee)
6. Marshal Bradley McClennen (subject employee)

Documentary Evidence

OLEO reviewed the following additional evidence:

1. Courthouse security camera video from December 4, 2024
2. Sergeant Clifford Hooper's complaint history
3. Marshal Bradley McClennen's complaint history

Fact Summary

On December 4, 2024, around noon, [redacted] and her partner [redacted] were waiting for assistance from the family law facilitators at the Maleng Regional Justice Center in Kent. Ms. [redacted] told investigators that she was originally from Iraq and wore a hijab while at the courthouse. Many people, including another woman named [redacted], were also waiting to be helped when the facilitators left to take their lunch break. Because the facilitators did not provide a system to keep track of the order in which people arrived for assistance, the people waiting began discussing who would be helped first when the facilitators returned from lunch. According to Ms. [redacted] and Mr. [redacted], Ms. [redacted] loudly insisted that she be first while they each worked with other patrons to write a list of the order in which they would be assisted. They claimed that they told Ms. [redacted] that she would be first, but she still tried to argue with them about the list. Ms. [redacted] stated that Ms. [redacted] and Mr. [redacted] insisted that they were first. Regardless of how it began, the three quickly began arguing loudly.

Sergeant Clifford Hooper walked over to the family law area to intervene in the argument. In a security camera video of the interaction, which did not capture any sound, he stood near Ms. [redacted] and spoke to Ms. [redacted] and Mr. [redacted] from several feet away. His stance and body language appeared neutral as he talked to the group. Marshal Bradley McClennen arrived about 45 seconds after and stood a short distance behind Sergeant Hooper with his thumbs hitched into the front of his duty vest. After approximately a minute, Sergeant Hooper walked out of the frame with Ms. [redacted] and Mr. [redacted] while Marshal McClennen remained with Ms. [redacted]. Sergeant Hooper returned less than a minute later alone and engaged with Ms. [redacted] After another minute passed, Sergeant Hooper walked away from family law area and into the courthouse rotunda. Marshal McClennen appeared to walk towards Ms. [redacted] and Mr. [redacted] then spoke with them for almost two minutes. Meanwhile, [redacted], a family law facilitator, came out of her office to speak with Sergeant Hooper. Approximately five and half minutes after the incident started, Marshal McClennen joined Sergeant Hooper in the rotunda and the two walked away from the family law area together.

Ms. [redacted] alleged that, upon approaching them, Sergeant Hooper yelled at her to be quiet. She stated that she tried to explain her side of the argument, but he told her to go away and that he didn't want to

hear her. Ms. [redacted] told investigators that she felt Sergeant Hooper was willing to listen to Ms. [redacted] over her because she was Middle Eastern and wearing a hijab. She stated that she told Sergeant Hooper she thought he was racist "a couple" times. Per Ms. [redacted] and Mr. [redacted], Marshal McClennan repeatedly yelled at her that she needed to let it go or he was going to kick her out of the courthouse.

Ms. [redacted] stated that Sergeant Hooper told Ms. [redacted] and Mr. [redacted] to stop yelling and that they would eventually be seen by the family law facilitator. She described his tone as stern but not aggressive. Ms. [redacted] recalled Ms. [redacted] accusing Sergeant Hooper of being racist. She stated that she told Ms. [redacted] that she was Black and that she did not believe Sergeant Hooper's conduct was a "race thing." Ms. [redacted] stated that neither officer used swear words or made racial remarks during the interaction. Ms. [redacted] stated that she did not have a very strong recollection of the incident, but she did not remember either officer behaving aggressively or unprofessionally. She further stated that she did not recall Sergeant Hooper making any comments about Ms. [redacted]'s race/ethnicity or appearance during their conversation in the rotunda, or at any other point after the incident.

In his interview, Sergeant Hooper stated that he used his "command voice" to tell Ms. [redacted] and Mr. [redacted] to stop talking because they were insisting that they should be helped first while he was trying to listen to Ms. [redacted]'s side of the story. He recalled that they continued to "chip" at him in response to his instructions, and eventually accused him of being racist. He stated that he then walked away to allow Marshal McClennen to defuse the situation, and that he did not witness any of the marshal's interactions with the parties. Per Sergeant Hooper, the two officers quickly debriefed after the incident, and Marshal McClennen did not make any comments about Ms. [redacted]'s race or appearance. Marshal McClennan did not have a recollection of the incident and described a different encounter with another community member of color during his compelled statement.[2]

Analysis

Discrimination, Harassment, or Retaliation (Sergeant Hooper): Exonerated

Ms. [redacted] alleged that Sergeant Hooper refused to listen to her and yelled at her to be quiet because of her ethnicity, and because she was wearing a hijab.

Per GOM 3.00.015(1)(g), Sheriff's office members shall not discriminate against community members on the basis of any protected class, including race, color, creed, religion, or national origin. Discrimination is a serious allegation potentially punishable by termination, and is therefore subject to a clear-and-convincing standard of proof in accordance with GOM 3.03.185.[3]

There is no evidence to support Ms. [redacted]'s claim that Sergeant Hooper's actions were motivated by his perception of her ethnicity or religion. In his compelled interview, Sergeant Hooper stated that he sternly told Ms. [redacted] to be quiet because she would not stop talking over Ms. [redacted] while he was trying to resolve their argument. This account was corroborated by Ms. [redacted] and Ms. [redacted], both of whom described Ms. [redacted] and Mr. [redacted] as arguing loudly with Sergeant Hooper before he told them to stop. Neither Ms. [redacted] nor the two witnesses reported that Sergeant Hooper made any

[2] Marshal McClennan was interviewed on April 14, 2025, approximately four months after the incident occurred.

[3] OLEO maintains that the use of such a heightened standard is inconsistent with best practices for an administrative investigation, and that a preponderance standard should apply in all administrative investigations within the Sheriff's Office.

remarks to Ms. [redacted] about her ethnicity or religion. As shown on the security video, Ms. [redacted] spoke with Sergeant Hooper immediately after the encounter, and she told investigators that he also did not mention the parties' appearance or ethnicity during that conversation.

Because the evidence established that Sergeant Hooper's actions were lawful and proper, he is **exonerated** of the allegation of Discrimination**.**

Inappropriate Conduct (Sergeant Hooper): Exonerated

GOM 3.00.015(2)(g) defines inappropriate conduct, in part, as actions directed at a community member "that, while not rising to the level of unlawful discrimination [...] communicate a hostile, derogatory, unwelcome, or negative message about a person based on a protected status." Inappropriate conduct can include insults or other conduct that a reasonable personal would find offensive. Allegations of inappropriate conduct must be sustained by a preponderance of the evidence standard.

As stated previously, Sergeant Hooper did not make any remarks referencing Ms. [redacted]'s ethnicity or appearance during the incident. Ms. [redacted] and Ms. [redacted] both described his tone and body language during the interaction as professional, which is corroborated in part by the security camera footage. Because Sergeant Hooper's comments did not communicate a negative message about Ms. [redacted]'s ethnicity or religion, and because his actions were not otherwise offensive, he is **exonerated** of the allegation of Inappropriate Conduct**.**

Acts in Violation of Sheriff's Office Directives Rules, Policies, or Procedures (Marshal Bradley): Unfounded

In her initial complaint intake interview with an IIU investigator, Ms. [redacted] appeared to allege that Marshal McClennan told her to stop talking and threatened to kick her out of the courthouse after she expressed that she wanted to speak with the officers' supervisor. Because this conduct would have violated GOM 3.03.015(3)(d)'s prohibition on delaying or deterring community members from filing complaints, OLEO added this allegation of Acts of Violation of Sheriff's Office Directives, Rules, Policies, or Procedures against Marshal McClennan to the investigation.

In a subsequent interview with OLEO, Ms. [redacted] clarified that she did not ask for the officers' or their supervisors' names until after the encounter ended and she went to a security desk. Ms. [redacted] stated that she did not observe Marshal McClennan threaten to remove Ms. [redacted] from the courthouse. Ms. [redacted] also did not recall hearing Ms. [redacted] indicate that she wanted to make a complaint or either officer stating that they would kick her out of the building. Because the investigation thus revealed there was no factual basis for the allegation of Acts in Violation of Sheriff's Office Directives, Rules, Policies, or Procedures, it is **unfounded.**

-R.McPhail
Ryan McPhail
Investigations Monitor

5/1/2025
Date