



OFFICE OF PROFESSIONAL ACCOUNTABILITY

Closed Case Summary

Complaint Number OPA#2016-0550

Issued Date: 12/27/2016

Named Employee #1	
Allegation #1	<u>Seattle Police Department Manual</u> 16.090 (6) In Car Video System: Employees Will Record Police Activity (Policy that was issued February 1, 2015)
OPA Finding	Sustained
Allegation #2	<u>Seattle Police Department Manual</u> 5.001 (9) Standards and Duties: Employees Shall Strive to be Professional at all Times (Policy that was issued April 1, 2015)
OPA Finding	Not Sustained (Inconclusive)
Final Discipline	Written Reprimand

INCIDENT SYNOPSIS

The Named Employee cited two vehicles located in a closed park.

COMPLAINT

The complainant alleged the Named Employee used a PA and was "angry" during contact. The initial investigation into this incident resulted in additional allegations that the Named Employee did not activate the In-Car Video (ICV) in time to capture this event.

INVESTIGATION

The OPA investigation included the following actions:

1. Review of the complaint
2. Review of In-Car Video (ICV)
3. Search for and review of all relevant records and other evidence
4. Interview of SPD employee

ANALYSIS AND CONCLUSION

The complainant alleged that the Named Employee addressed her and her friend (the subjects) over the PA systems while shining a bright light in their eyes. She also alleged that the Named Employee was angry and unprofessional in the way that he handled the situation. During the investigation OPA could not find any ICV recordings of the incident. The Named Employee went to a park at closing time. He frequently went to the park to ensure that it was closed and everyone cleared the park. There had been numerous problems in the park and complaints from the community regarding the activity at night. There were two cars parked in the lot in violation of the Seattle Municipal Code. The Named Employee used his PA system as he did every night to announce that the park was closed. After waiting a couple of minutes the Named Employee began writing a ticket to one of the vehicles. The subjects walked up to him as he was writing the tickets. He asked one of the subjects to wait while he wrote her vehicle a citation because he did not want to cite one car but not the other. The Named Employee said that his interactions with the subjects was unremarkable and he did not know there was a problem until he received his OPA complaint. The Named Employee denied being angry or unprofessional with the subjects. The Named Employee stated that he thought his ICV was activated, in fact he moved the camera to capture the vehicles parked in the lot illegally. On both of his citations he wrote "violation recorded on ICV." It was not until he received this complaint that he found out that it was not recording. The Named Employee did not have ICV recording while he was engaged in police activity in violation of the SPD Manual section on ICVs.

FINDINGS

Named Employee #1

Allegation #1

The preponderance of the evidence showed that the Named Employee did not record police activity. Therefore a **Sustained** finding was issued for *In Car Video System: Employees Will Record Police Activity*.

Allegation #2

Given the interaction with the subjects was not recorded on ICV, it could not be determined whether the Named Employee was unprofessional in his interactions with the two subjects. Therefore a finding of **Not Sustained** (Inconclusive) was issued for *Standards and Duties: Employees Shall Strive to be Professional at all Times*.

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.