



OFFICE OF PROFESSIONAL ACCOUNTABILITY

Closed Case Summary

Complaint Number OPA#2016-0576

Issued Date: 12/13/2016

Named Employee #1	
Allegation #1	<u>Seattle Police Department Manual</u> 16.090 (8) In Car Video System: Once Recording Has Begun, Employees Shall Not Stop Recording Until the Event Has Concluded (Policy that was issued 03/01/2016)
OPA Finding	Not Sustained (Training Referral)
Final Discipline	N/A

INCIDENT SYNOPSIS

The Named Employee responded to a disturbance which resulted in a use of force and arrest.

COMPLAINT

The complainant, a Supervisor within the Department, reported that the Named Employee allegedly violated department policy when he "de-activated his In-Car Video (ICV) while at the scene to review the actual use of force."

INVESTIGATION

The OPA investigation included the following actions:

1. Review of the complaint memo
2. Review of In-Car Videos (ICV) and logs
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 stopped his In-Car Video recording while at the scene of a Use of Force in violation of SPD policy. The Named Employee was working as an Acting Sergeant at a Use of Force incident. He stopped his ICV in order to review the incident and determine what level of force was used so he could conduct the investigation. After approximately 4 minutes he restarted his ICV. This was not an approved exception to the ICV policy. The Named Employee did not intend to violate policy; it could have been argued that he had a legitimate law enforcement purpose for stopping the recording. However, the policy did not allow for an exception in that case, had something occurred with the subject it would not have been captured on ICV.

FINDINGS

Named Employee #1

Allegation #1

The preponderance of the evidence showed that the Named Employee stopped the ICV while still at the scene, but with an arguably legitimate. Therefore a finding of **Not Sustained** (Training Referral) was issued for *In Car Video System: Once Recording Has Begun, Employees Shall Not Stop Recording Until the Event Has Concluded*.

Required Training: The Named Employee should be reminded by his supervisor the importance of keeping the ICV recording throughout the incident. The Named Employee could have determined the appropriate force classification by other means rather than turning off the ICV.

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.