



OFFICE OF PROFESSIONAL ACCOUNTABILITY

Closed Case Summary

Complaint Number OPA#2016-1335

Issued Date: 05/31/2017

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 March 1, 2016)
OPA Finding	Not Sustained (Inconclusive)
Final Discipline	N/A

Named Employee #2	
Allegation #1	<u>Seattle Police Department Manual</u> 16.090 (6) In-Car Video System: Employees Will Record Police Activity (Policy that was issued March 1, 2016)
OPA Finding	Not Sustained (Inconclusive)
Final Discipline	N/A

INCIDENT SYNOPSIS

While logged into a call, the Named Employees on-viewed another incident.

COMPLAINT

The complainant, a supervisor within the Department, alleged that the Named Employees may have violated SPD policy when they did not record police activity. The Named Employees ended contact with a subject and terminated In-Car Video (ICV), but later re-contacted the subject to execute a warrant arrest without activating ICV.

INVESTIGATION

The OPA investigation included the following actions:

1. Review of the complaint memo
2. Review of In-Car Videos (ICV)
3. Search for and review of all relevant records and other evidence
4. Interviews of SPD employees

ANALYSIS AND CONCLUSION

Named Employee #1 told OPA he thought his partner in a two-person vehicle (Named Employee #2) had started the ICV before they got out of their police car to approach the subject who was wanted for a warrant. The evidence showed no ICV recording was created by either officer for this police activity. Named Employee #1 also told OPA that he believed it was possible that the ICV system was still processing a long recording from the incident the two officers had just completed and that this may have prevented the ICV system from activating the record function when it was pressed. OPA contacted SPD IT and learned that the processing of a previously recorded video can interfere with the system's ability to begin a new recording. After reviewing all the evidence and interviews from the OPA investigation, the OPA Director was unable to find a preponderance of evidence to prove whether or not one of the two Named Employees was prevented from starting the ICV record function due to a technical problem.

Named Employee #2 told OPA she thought she had started the ICV by pushing the button on her portable microphone as she and her partner (Named Employee #1) got out of their police car to approach the subject who was wanted for a warrant. The evidence showed no ICV recording was created by either officer for this police activity. Named Employee #2 could offer no explanation why the ICV system did not start recording when she pushed the button. After reviewing all the evidence and interviews from the OPA investigation, the OPA Director was unable to find a preponderance of evidence to prove whether or not one of the two Named Employees was prevented from starting the ICV record function due to a technical problem.

FINDINGS

Named Employees #1 and #2

Allegation #1

There was not a preponderance of the evidence either supporting or refuting the allegation. Therefore a finding of **Not Sustained** (Inconclusive) was issued for *In-Car Video System: Employees Will Record Police Activity*.

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.