



OFFICE OF PROFESSIONAL ACCOUNTABILITY

Closed Case Summary

Complaint Number OPA#2016-0578

Issued Date: 12/13/2016

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 03/01/2016)
OPA Finding	Not Sustained (Training Referral)
Final Discipline	N/A

INCIDENT SYNOPSIS

The Named Employee transported a subject from a medical center to a jail.

COMPLAINT

The Complainant, a supervisor within the Department, alleged that the Named Employee transported a prisoner from a medical center to a jail without a functioning In-Car Video (ICV) system.

INVESTIGATION

The OPA investigation included the following actions:

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

ANALYSIS AND CONCLUSION

The complainant alleged that the Named Employee transported a subject from a medical center to a jail without using ICV. The Named Employee was assigned as a bicycle officer without a Body Worn Camera or ICV. He was involved in a use of force incident where the subject was transported to a medical center. The Named Employee was tasked with being the hospital guard for the subject. He went to the precinct, checked out a patrol car and performed a systems check on the ICV. When the subject was released from the hospital the Named Employee found his vehicle computer and ICV systems had shut down. Rather than wait to restart the computer and ICV or call another car to transport the subject to the jail, the Named Employee transported him without ICV. The Named Employee believed it was more important to transport the subject to the jail without delay than it was to wait until another officer with an operating ICV system could be made available and arrive at the hospital. Mitigating this failure to record, the following factors were considered. The Named Employee was presented with a situation that needed to be solved and chose the option he thought to be the safest for him and the subject. As a bicycle officer, the Named Employee was not “practiced” in how to handle out of the ordinary ICV issues and was unaware of the existence of extra system log-in cards. The Named Employee self-reported to Dispatch and his supervisor regarding the lack of ICV and complied with the policy requirement to document the absence of ICV in writing.

FINDINGS

Named Employee #1

Allegation #1

Mitigating factors were taken into consideration for this specific failure to record the brief transport of a subject. Therefore a finding of **Not Sustained** (Training Referral) was issued for *In Car Video System: Employees Will Record Police Activity*.

Required Training: The Named Employee’s supervisor should provide the Named Employee with specific training and counseling regarding the requirements of SPD Policy on In-Car Video Systems, as well as the mechanics of the ICV, its automatic shutdown function, and the availability of extra log-in cards and when it is necessary to use them.

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.