



## OFFICE OF PROFESSIONAL ACCOUNTABILITY

### Closed Case Summary

Complaint Number OPA#2016-1138

Issued Date: 03/31/2017

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	<b>Not Sustained</b> (Training Referral)
Final Discipline	N/A

#### **INCIDENT SYNOPSIS**

The Named Employee responded to a fight disturbance call for service at a gas station.

#### **COMPLAINT**

The complainant, a supervisor within the Department, forwarded the Named Employee's self-reporting of possible failure to activate In-Car Video (ICV) in violation of policy.

#### **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. Interview of SPD employee

## **ANALYSIS AND CONCLUSION**

The preponderance of the evidence showed that the Named Employee did not record his police activity before he arrived at a dispatched call as required by policy. However, three mitigating factors were taken into consideration when considering the appropriate finding to recommend. First, the Named Employee told OPA he thought he had activated his ICV system when he turned on the emergency lights of his police car while responding to the incident. The Named Employee was under the impression he had turned the lightbar on long enough to activate the ICV system. The ICV systems in SPD cars are wired to activate when the emergency lights in the car are on for seven or more seconds. The Named Employee said he used his lights to clear an intersection. It was possible clearing the intersection took less than seven seconds and the ICV was not activated. Furthermore, the Named Employee told OPA he arrived at the incident to see a subject bleeding profusely. The Named Employee was a trained Emergency Medical Technician and recognized the subject needed immediate aid. The Named Employee said he opted to not take any time to verify that the ICV was activated and instead grabbed his EMT gear and rushed to the subject to begin rendering aid. It was not until the Named Employee returned to his vehicle that he discovered the ICV system was not on. Finally, the Named Employee self-reported this failure to activate the ICV to his supervisor. He delayed this notification for a day, not, said the Named Employee, intentionally but because he did not think of it until later. The OPA Director's recommended finding was based on the totality of the mitigating circumstances and the clearly emergent nature of what the Named Employee faced when he arrived on scene.

## **FINDINGS**

### **Named Employee #1**

#### Allegation #1

The evidence showed that the Named Employee would benefit from additional training. 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 should be reminded by his supervisor not to rely on the activation of the emergency lights on his police car to turn on the ICV system. He should also be reminded of his obligation to immediately self-report any failure to comply with policy to his supervisor.

*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.*