



OFFICE OF PROFESSIONAL ACCOUNTABILITY

Closed Case Summary

Complaint Number OPA#2016-1338

Issued Date: 05/18/2017

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 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 (Unfounded)
Allegation #3	<u>Seattle Police Department Manual</u> 15.180 (5) Primary Investigations: Officers Shall Document all Primary Investigations on a General Offense Report (Policy that was issued April 1, 2015)
OPA Finding	Not Sustained (Lawful and Proper)
Final Discipline	Written Reprimand

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 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	Allegation Removed
Final Discipline	Written Reprimand

INCIDENT SYNOPSIS

The Named Employees were dispatched to a burglary.

COMPLAINT

The complainant alleged that Named Employee #1 was unprofessional during an interaction with complainant. While conducting an intake to determine the nature of the allegations, OPA discovered that there was no In-Car Video (ICV) for the incident in potential violation of SPD Policy, for both officers on the call, and that the complainant indicated he provided the name and location of the person who stole the guitar but that information was not included in the report by the Named Employee.

INVESTIGATION

The OPA investigation included the following actions:

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

ANALYSIS AND CONCLUSION

The preponderance of the evidence from this investigation showed that Named Employee #1 did not activate his ICV to record his response to the 911 call to which he had been dispatched and did not record his police activity at that call as required by the SPD Policy that was in force at the time of this incident.

There was no evidence to support the complainant's allegation that Named Employee #1 was rude and unprofessional during his contact with the complainant. Both Named Employee #1 and his cover officer described the conversation between the complainant and Named Employee #1 as cordial.

The allegation in this case was that Named Employee #1 neither listed the complainant's former roommate as a suspect in the burglary, nor mentioned in the General Offense Report (GOR) that the complainant considered the former roommate to be a likely suspect. It was clear from OPA's interviews with the complainant and both officers that the complainant told Named Employee #1 he suspected his (the complainant's) former roommate. It was equally clear that Named Employee #1 did not include this information in the GOR he submitted. Named Employee #1 and his cover officer both told OPA that the complainant could give no specific reason, other than a hunch, to support his suspicion. Named Employee #1 said his usual practice was to list someone as a suspect in a GOR if there was something specific to cite as a reason for considering the person a suspect. However, in this particular case, the complainant had no specific reason for his suspicion. While Named Employee #1 could have listed the former roommate as a suspect, or at least included this information in the narrative portion of the GOR, the OPA Director considered Named Employee #1's reasons for not including the name of the former roommate in the GOR to be reasonable. It seemed Named Employee #1 appropriately weighed the value of mentioning a possible suspect in the GOR against the potential injustice of casting suspicion on someone without an articulable reason to do so.

The preponderance of the evidence from this investigation showed that Named Employee #2 did not activate his ICV to record his response to the 911 call to which he had been dispatched and did not record his police activity at that call as required by the SPD Policy that was in force at the time of this incident.

In the course of this investigation, the complainant clarified with OPA that he had no complainant about the conduct of Named Employee #2. In fact, the complainant did not even recall that a second officer was present.

FINDINGS

Named Employee #1

Allegation #1

A preponderance of the evidence showed that Named Employee #1 did not activate his ICV as required by policy. Therefore a **Sustained** finding was issued for *In-Car Video System: Employees Will Record Police Activity*.

Allegation #2

There was no evidence to support the allegation that Named Employee #1 was rude and unprofessional during his contact with the complainant. Therefore a finding of **Not Sustained** (Unfounded) was issued for *Standards and Duties: Employees Shall Strive to be Professional at all Times*.

Allegation #3

A preponderance of the evidence showed that Named Employee #1's reasons for not including the name of the former roommate in the GOR were reasonable. Therefore a finding of **Not Sustained** (Lawful and Proper) was issued for *Primary Investigations: Officers Shall Document all Primary Investigations on a General Offense Report*.

Discipline Imposed: Written Reprimand

Named Employee #2

Allegation #1

A preponderance of the evidence showed that Named Employee #2 did not activate his ICV as required by policy. Therefore a **Sustained** finding was issued for *In-Car Video System: Employees Will Record Police Activity*.

Allegation #2

This Allegation was removed.

Discipline Imposed: Written Reprimand

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.