



OFFICE OF PROFESSIONAL ACCOUNTABILITY

Closed Case Summary

Complaint Number 2017OPA-0142

Issued Date: 08/03/2017

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, 2015)
OPA Finding	Not Sustained (Unfounded)
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, 2015)
OPA Finding	Sustained
Final Discipline	Oral Reprimand

INCIDENT SYNOPSIS

This alleged violation was discovered by OPA during the Intake Follow-Up regarding another complaint made by the complainant stating her perception of misconduct during an incident that occurred at her residence. During that Intake Follow-Up it was discovered that during the incident the complainant is referring to, the Named Employees don't have COBAN ICV video of their police activity related to the incident.

COMPLAINT

The complainant alleged that the Named Employees did not have ICV of their police activity related to the incident.

INVESTIGATION

The OPA investigation included the following actions:

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

ANALYSIS AND CONCLUSION

Named Employee #1 (NE#1) was not operating out of an ICV-equipped SPD vehicle with respect to this incident. The OPA investigation shows that NE#1 had been placed at the scene by another officer and that NE#1's ICV-equipped car was not nearby. In addition, NE#1 was dressed in non-uniform clothing as he was watching a building for a suspect and wanted not to draw attention to himself as a police officer. The evidence from the OPA investigation also shows that NE#1 did not create an audio and video recording of his police activity at the scene. Given that NE#1 was not in uniform and was not, at that time, operating an ICV-equipped police vehicle (in other words, NE#1 did not get to the scene in the ICV-equipped vehicle to which he had earlier logged), the OPA Director found that SPD Policy 16.090(6) did not apply to NE#1 at that time.

The preponderance of the evidence shows that Named Employee #2 (NE#2) did not activate the record function of his ICV prior to arriving at the scene of this incident. NE#2 cited exigency as his reason for not remembering to activate the ICV. While it is certainly understandable that NE#2 became distracted by the fact that he initially responded to an incorrect location, nonetheless, it is the Department's expectation articulated in policy that all officers will activate their ICV recording prior to arriving on the scene of police activity. In this particular case, NE#2 did not begin recording before arriving on scene and failed to record any of his police activity in this incident.

FINDINGS

Named Employees #1

Allegation #1

The OPA investigation found no evidence to support the allegation. Therefore a finding of **Not Sustained** (Unfounded) was issued for *In-Car Video System, Employees Will Record Police Activity*.

Named Employees #2

Allegation #1

The OPA investigation found that Named Employee #2 did not begin recording before arriving on scene and failed to record any of his police activity in this incident. Therefore a **Sustained** finding was issued for *In-Car Video System, Employees Will Record Police Activity*.

Discipline imposed: Oral 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.