



OFFICE OF PROFESSIONAL ACCOUNTABILITY

Closed Case Summary

Complaint Number OPA#2016-1303

Issued Date: 04/19/2017

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 (Training Referral)
Final Discipline	N/A

INCIDENT SYNOPSIS

The Named Employee made contact with a person who had flagged him down.

COMPLAINT

The complainant, the OPA, alleged that the Named Employee may have violated SPD policy by not activating his In-Car Video (ICV) at the beginning of an incident / investigation.

INVESTIGATION

The OPA investigation included the following actions:

1. Review of a related complaint
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 successfully activate his ICV prior to getting out of his police car and making contact with a person who had flagged him down. SPD Policy 16.090(6) requires that officers activate their ICV at the beginning of an event of “police activity.” In evaluating the facts and circumstances surrounding this event, the OPA Director took into consideration that the Named Employee had only been on his own without a Field Training Officer for less than two months when this incident took place. In addition, the Named Employee reported this was the first time he had been flagged down by a person and was not sure what the person wanted. It was possible that the person just needed directions or had a question that would not have made this encounter a matter of “police activity” as described in the policy. At the same time, it appeared that the Named Employee quickly became involved in police activity when he became aware that the air bags on the person’s vehicle had deployed and began to investigate the circumstances to determine what exactly happened. About five minutes after the Named Employee made contact with the person, he activated the recording function of his ICV and the vast majority of his contact and arrest of the person was properly recorded.

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 clearly reminded by his supervisor of the importance of activating the record function of his ICV every time he gets out of his police car to make contact with someone who has flagged him down.

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.