



December 16, 2021

Interim Chief Adrian Diaz
Seattle Police Department
PO Box 34986
Seattle, WA 98124-4986

Dear Chief Diaz:

Please see the below Management Action Recommendation.

Case Number

- 2021OPA-0149 / 2021COMP-0044

Topic

- FIT Investigations

Summary

- It was alleged that two named employees showed an officer a Twitter video of his use of force prior to his Force Investigation Team (FIT) interview.

Analysis

- An officer rolled his bicycle over the head of a protester who was laying down in the street. OPA investigated the incident in [2020OPA-0606](#).
- After the incident, the officer learned that a video was circulating on Twitter of his use of force. His sergeant ordered him not to watch any video and to standby for FIT, which would be investigating the force. The officer was escorted to the FIT office, where he was met by his peer support and union representatives, the latter of whom played the Twitter video for the group.
- The FIT Manual's Integrity Protocols include the following: "Prior to FIT's arrival at the scene and assuming investigatory responsibility, no SPD personnel may permit any involved or witness officer to review video or audio."
- The officer who used the force told OPA he was unfamiliar with the FIT investigation process and did not intend to disobey a direct order from his sergeant. The peer support rep said he had never been required to read the FIT manual and was not aware of any limitation on viewing open-source video. The union rep said he was aware that officers are prohibited from watching in-car video or body-worn video in a Type III force incident.
- The FIT Manual is not annexed to the larger SPD Manual, and the SPD Manual does not require employees not assigned to FIT to be familiar with the FIT Manual. Further, even within the FIT Manual, there is no express provision stating that officers are prohibited from viewing publicly available video, even if this is a logical interpretation of its language.

Recommendation(s)

- Amplify SPD Manual 8.400 and/or 8.500 to provide express guidance on the limitations of watching video prior to and during FIT investigations. The directive should discuss third-party/publicly available video.
- Consider linking the FIT Manual to the SPD Manual.



Thank you for your consideration of this matter. I look forward to your response.

Sincerely,

AM

Andrew Myerberg
Director, Office of Police Accountability