



OFFICE OF PROFESSIONAL ACCOUNTABILITY

Closed Case Summary

Complaint Number OPA#2015-0398

Issued Date: 10/09/2015

Named Employee #1	
Allegation #1	<u>Seattle Police Department Manual</u> 5.001 (10) Employees Shall Be Truthful and Complete In All Communication (Policy that was issued 07/16/14)
OPA Finding	Not Sustained (Unfounded)
Final Discipline	N/A

INCIDENT SYNOPSIS

The named employee was one of several officers who arrested a subject. A Use of Force Investigation was initiated to document the arrest. The named employee's In-Car Video could not be recovered during the investigation.

COMPLAINT

The complainant, the Force Review Board, alleged that the named employee may have intentionally deleted his In-Car Videos.

INVESTIGATION

The OPA investigation included the following actions:

1. Review of complaint memo
2. Search for and review of all relevant records and other evidence
3. Interview of SPD employees

ANALYSIS AND CONCLUSION

The evidence showed that the named employee attempted to upload his In-Car Video when he returned to the precinct. Despite receiving a message that said “upload complete” the named employee felt it was too fast for the upload to have occurred. He returned to his patrol vehicle to attempt to upload the video wirelessly and he could not confirm at the end of his shift whether or not the video had uploaded. The named employee explained this difficulty in his use of force statement. The Information Technology Section (ITS) recovered some video but not all. The hard drive showed there were possibly six more videos that had been taken on the day in question. ITS confirmed that it is possible to lose video if a user removes the hard drive while it is still communicating with the device. The evidence showed that user error resulted in a failed In-Car Video upload.

FINDINGS

Named Employee #1

Allegation #1

The weight of the evidence showed that the named employee was truthful in his statements.

Therefore a finding of **Not Sustained** (Unfounded) was issued for *Employees Shall Be Truthful and Complete In All Communication*.

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.