



## OFFICE OF PROFESSIONAL ACCOUNTABILITY

### Closed Case Summary

Complaint Number OPA#2015-0470

Issued Date: 10/01/2015

Named Employee #1	
Allegation #1	<u>Seattle Police Department Manual</u> 5.001 (9) Professionalism (Policy that was issued 07/16/2014)
OPA Finding	<b>Not Sustained</b> (Training Referral)
Allegation #2	<u>Seattle Police Department Manual</u> 16.090 (2) In Car Video Systems: All Employees Operating ICV Must be in Uniform and Wear a Portable Microphone (Policy that was issued 02/01/2015)
OPA Finding	<b>Not Sustained</b> (Training Referral)
Final Discipline	N/A

#### **INCIDENT SYNOPSIS**

The named employee was on patrol looking for a suspect of a “strong-arm” robbery that had just occurred. The named employee saw a man who matched the description, stopped his patrol car and asked the possible suspect to stop. The suspect responded by pulling away and swinging his fist at the named employee striking him on the side of his head. The fight continued until backing officers arrived on scene. The suspect was arrested.

#### **COMPLAINT**

The complainant, a supervisor within the Department, alleged that the named employee used profanity towards the suspect and was not wearing his In-Car Video microphone during the arrest as required by policy.

## **INVESTIGATION**

The OPA investigation included the following actions:

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

## **ANALYSIS AND CONCLUSION**

The evidence showed that the named employee was not wearing his ICV microphone and in the heat of the moment used profanity. The named employee should receive appropriate training directed at managing stress and controlling emotions during and after highly stressful encounters in order to avoid escalation of an incident. Also the named employee should receive appropriate information training from his Sergeant regarding the proper placement of the ICV microphone on his uniform.

## **FINDINGS**

### **Named Employee #1**

#### Allegation #1

The evidence showed that the named employee did use profanity in those circumstances. Therefore a finding of **Not Sustained** (Training Referral) was issued for *Professionalism*.

#### Allegation #2

The evidence showed that the named employee was not wearing his ICV microphone. Therefore a finding of **Not Sustained** (Training Referral) was issued for *In Car Video Systems: All Employees Operating ICV Must be in Uniform and Wear a Portable Microphone*.

*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.*