



OFFICE OF PROFESSIONAL ACCOUNTABILITY

Closed Case Summary

Complaint Number OPA#2016-1323

Issued Date: 05/15/2017

Named Employee #1	
Allegation #1	<u>Seattle Police Department Manual</u> 13.010 (13.010-TSK-1) Collisions Involving Department Vehicles: Department Employee Involved in a Collision (Policy that was issued August 1, 2015)
OPA Finding	Not Sustained (Training Referral)
Final Discipline	N/A

INCIDENT SYNOPSIS

The Named Employee was driving a marked SPD police car in an alley.

COMPLAINT

The complainant, a supervisor within the Department, alleged that the Named Employee failed to report and document a Departmental vehicle collision to a supervisor in the time and manner required by Department policy.

INVESTIGATION

The OPA investigation included the following actions:

1. Review of the complaint memo
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 evidence from this investigation showed that a marked SPD police car driven by the Named Employee struck a pipe extending from a wall in an alley. The evidence showed that the Named Employee was aware of this collision when it happened and knew that some portion of his car struck the pipe. The evidence further showed that this contact between the car and the pipe appeared to have not damaged the police car in any way and that this fact was also immediately known by the Named Employee. Furthermore, the evidence showed that the Named Employee did not immediately notify his supervisor as required by SPD Policy 13.010-TSK-1, nor did he notify a supervisor at any time. The collision between the police car driven by the Named Employee and the pipe in the alley was discovered by a supervisor during a routine review of video associated with a reported use of force. Finally, there was no evidence of any attempt or desire by the Named Employee to conceal the fact of this collision. OPA accepted that the Named Employee sincerely believed the duty to report a collision did not apply if no damage resulted. Taking all facts into consideration, it was the OPA Director's belief that this technical violation of the reporting requirement in 13.010-TSK-1 was best addressed through training and counseling, rather than with discipline. OPA noted that the Named Employee's supervisor was reported to have already counseled the Named Employee regarding the necessity of reporting even minor collisions without damage. However, no evidence of a training entry was found as documentation of this conversation. The OPA Director recommended a finding of Not Sustained (Training Referral) so the Named Employee's supervisor could document that the Named Employee had been counseled.

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 *Collisions Involving Department Vehicles: Department Employee Involved in a Collision*.

Required Training: The Named Employee should receive training and counseling from his supervisor regarding the requirement in SPD Policy 13.010-TSK-1 to immediately notify a supervisor whenever a police vehicle is involved in a collision, even if no damage results from that collision.

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.