



September 11, 2019

Director Andrew Myerberg
Office of Professional Accountability
PO Box 34986
Seattle, WA 98124-4986

Dear Director Myerberg,
Please see the below Management Action Recommendation response

Case Numbers: 2018OPA-0165 (2018COMP-0100)

Topic: In-Car and Body-Worn Video

Summary of the Recommendation:

- Officers responding to Harborview Medical Center to deal with a resistive arrestee and did not activate their Body Worn Video (BWV) because they thought they were prohibited from recording inside a hospital, which is defined as a "sensitive" area per policy 16.090.POL-5(d). The policy allows for recording in a "sensitive" area where there is a "direct law enforcement purpose" for doing so. Officers believed that they were only allowed to record in HMC if there was an active crime. OPA contacted the Training Sergeant who oversees the BWV program and learned that officers are trained to activate their BWV in "sensitive areas" when there is potential criminal activity. OPA believed that this interpretation was too narrow and inconsistent with the plain language of the policy.

Original Recommendation:

- Amplify training on policy 16.090-POL-5(d) to provide additional guidance on when officers may record in "sensitive areas." In addition, articulate whether responses to resistant arrestees, ongoing or impending uses of force, and other like activity constitute such a "direct law enforcement purpose," and include relevant examples in the training.

Action Taken:

- The Education and Training Section sent an email to all sworn SPD employees that explained if officers were responding to a "sensitive" area where there was a likelihood of encountering a subject, who could potentially be detained, arrested, or may be the subject of force constitutes a "direct law enforcement purpose" and the event should be captured on BWV. The email then went on to provide examples of when activating BWV would be appropriate and when it would not.
- The Audit, Policy, and Research Section is in the process of reviewing the entire policy (16.090) regarding BWV and ICV. Potential revisions are slated to be reviewed at the end of October 2019.

SPD considers this Management Action:

- Fully Implemented

Please don't hesitate to contact me if you have additional questions or concerns.

Sincerely,

Lesley Cordner, Assistant Chief
Professional Standards Bureau