



## OFFICE OF PROFESSIONAL ACCOUNTABILITY

### Closed Case Summary

Complaint Number OPA#2015-0768

Issued Date: 12/23/2015

Named Employee #1	
Allegation #1	<u>Seattle Police Department Manual</u> 16.090 (8) Once Recording Has Begun, Employees Shall Not Stop Recording Until the Event Has Concluded (Policy that was issued 02/01/15)
OPA Finding	<b>Not Sustained</b> (Training Referral)
Final Discipline	N/A

Named Employee #2	
Allegation #1	<u>Seattle Police Department Manual</u> 16.090 (8) Once Recording Has Begun, Employees Shall Not Stop Recording Until the Event Has Concluded (Policy that was issued 02/01/15)
OPA Finding	<b>Not Sustained</b> (Training Referral)
Final Discipline	N/A

Named Employee #3	
Allegation #1	<u>Seattle Police Department Manual</u> 16.090 (6) Employees Will Record Police Activity (Policy that was issued 02/01/15)
OPA Finding	<b>Not Sustained</b> (Lawful and Proper)
Final Discipline	N/A

## **INCIDENT SYNOPSIS**

The named employees responded to investigate a possible burglary at a residence.

## **COMPLAINT**

The complainant, a supervisor within the Department, alleged that the named employees did not use their In-Car Video properly at the scene.

## **INVESTIGATION**

The OPA investigation included the following actions:

1. Review of the complaint memo
2. Search for and review of all relevant records and other evidence
3. Review of In-Car Videos (ICV)
4. Interviews of SPD employees

## **ANALYSIS AND CONCLUSION**

The focus of the OPA investigation was the muting of the audio associated with the named employees' In-Car Video (ICV) systems. In their OPA interviews named employee's, #1 and #2 stated that they did not believe they violated the ICV policy. They do not believe the current policy prohibits officers from muting the microphone because it is not mentioned in policy. They said that "muting" the microphone is not stopping or turning off the recording. The department has since clarified the policy and implemented software upgrades to address this scenario. Employees are not to stop or mute ICV until a triggering event is concluded. During his OPA interview, named employee #3 said that he did not know why he did not have ICV for his shift in addition to the systems check at the beginning of the shift. The evidence showed that the video was recorded but not properly allowed to upload.

## **FINDINGS**

### **Named Employee #1 and #2**

#### **Allegation #1**

The evidence showed that the named employees were not clear on the In-Car Video policy as regards to muting the microphone. Therefore a finding of **Not Sustained** (Training Referral\*) was issued for *Once Recording Has Begun, Employees Shall Not Stop Recording Until the Event Has Concluded*.

**\*Required Training** (Named Employee #1 and Named Employee #2): Both employees should be given a copy of the In Car Video System Policy (16.090) and reminded of their obligation to continuously audio and video record the entire event when engaged in police activity as defined in policy.

**Named Employee #3**

Allegation #1

The evidence showed that the named employee would benefit from additional training regarding the In-Car Video policy. Therefore a finding of **Not Sustained** (Training Referral\*\*) was issued for *Employees Will Record Police Activity*.

**\*\*Required Training:** Named Employee #3 should be shown how to verify that his ICV recordings have been fully uploaded before the end of his shift and, if not, to contact his supervisor.

*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.*