



OFFICE OF PROFESSIONAL ACCOUNTABILITY

Closed Case Summary

Complaint Number OPA#2015-1897

Issued Date: 05/25/2017

Named Employee #1	
Allegation #1	<u>Seattle Police Department Manual</u> 16.090 (6) In-Car Video System: Employees Will Record Police Activity (Policy that was issued February 1, 2015)
OPA Finding	Sustained
Allegation #2	<u>Seattle Police Department Manual</u> 16.090 (TSK-1) In-Car Video System: Operating the In-Car Video System (Policy that was issued February 1, 2015)
OPA Finding	Not Sustained (Training Referral)
Final Discipline	1 Day Suspension

Named Employee #2	
Allegation #1	<u>Seattle Police Department Manual</u> 16.090 (6) In-Car Video System: Employees Will Record Police Activity (Policy that was issued February 1, 2015)
OPA Finding	Sustained
Final Discipline	Had the Named Employee not separated from the Department, discipline would have been imposed

INCIDENT SYNOPSIS

The Named Employees transported a subject from the precinct to the jail, then from the jail to the hospital.

COMPLAINT

The complainant, a supervisor within the Department, alleged that during a review of a Use of Force case, it was determined that the Named Employees did not activate their In-Car Video (ICV) while transporting a prisoner. A second complaint from Named Employee #1's supervisor alleged that Named Employee #1 failed to function test the ICV microphone.

INVESTIGATION

The OPA investigation included the following actions:

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

ANALYSIS AND CONCLUSION

The complainant alleged Named Employee #1 and Named Employee #2 failed to record the transport of a prisoner. The prisoner was transported from the precinct to the jail and from there to a hospital. The preponderance of the evidence showed the ICV system was not recording during both transports. It further showed the ICV system in the police car had shut down while the car was at the precinct and had not been fully re-booted and was not functioning at the time the first transport began. Named Employee #1 was aware of this at the time the first transport began but did not wait for the ICV system to become fully functioning and recording before beginning the first transport. As evidenced by his radio transmission stating the ICV system was not operating, Named Employee #2 was also aware of this at the time the first transport began but did not wait for the ICV system to become fully functioning and recording before beginning the first transport.

The complainant alleged Named Employee #1 did not properly log into the ICV system in the police car to which he was assigned. Named Employee #1 was part of a two-officer team assigned to one police car. The preponderance of the evidence showed Named Employee #1 properly logged into and synched his microphone with the ICV system on days when he was operating as a single-officer car. However, he was not logged in and synched on days when he was part of a two-officer car. On those days, Named Employee #1 did not playback his system check and, as a result, was unaware of the log in failure.

FINDINGS

Named Employee #1

Allegation #1

A preponderance of the evidence showed that the ICV system was not recording during both transports. Therefore a **Sustained** finding was issued for *In-Car Video System: Employees Will Record Police Activity*.

Discipline Imposed: 1 Day Suspension

Allegation #2

The evidence showed that the Named Employee would benefit from additional training. Therefore a finding of **Not Sustained** (Training Referral) was issued for *In-Car Video System: Employees Will Record Police Activity*.

Required Training: Named Employee #1's supervisor should provide Named Employee #1 with specific, hands-on training regarding logging into the ICV system and performing a system check when part of a two-person unit. This training should include a reminder that the procedures require officers to playback the video of their system check in order to verify proper log in and microphone synch.

Named Employee #2

Allegation #1

A preponderance of the evidence showed that the ICV system was not recording during both transports. Therefore a **Sustained** finding was issued for *In-Car Video System: Employees Will Record Police Activity*.

Discipline Imposed: Had the Named Employee not separated from the Department, discipline would have been imposed

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.