



OFFICE OF PROFESSIONAL ACCOUNTABILITY

Closed Case Summary

Complaint Number OPA#2016-0080

Issued Date: 12/21/2016 (updated)

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 02/01/2015)
OPA Finding	Not Sustained (Grievance Settlement)
Final Discipline	N/A

INCIDENT SYNOPSIS

The Named Employee responded to the area of an arrest and was the screening supervisor.

COMPLAINT

The complainant, a supervisor within the Department, alleged that the Named Employee did not have In-Car Video (ICV) for an incident in September 2015.

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. Interview of SPD employee

ANALYSIS AND CONCLUSION

The preponderance of the evidence show the Named Employee did not record his response to or activity associated with police activity in September 2015, as required by policy. Although the Named Employee explained to OPA he assumed the In-Car Video (ICV) system had been automatically activated to record when he activated the emergency lights on his police car while responding, he was responsible to verify and assure the recording was taking place and, based on the evidence, had sufficient opportunity throughout his involvement in the incident to do so. Furthermore, had the Named Employee been under the mistaken belief the ICV recording function was activated when the police car's emergency lights were turned on, it seems possible the Named Employee would have noticed that it was not on, either when he attempted to turn it off at the end of his involvement in the incident or at the end of his shift when he attempted to download the video. Had the Named Employee realized at the time he had not recorded, he could have arranged to have the video only portion saved from the "fail safe" section of the ICV hard drive. However, this was not done. Although the Named Employee noted in his OPA interview the possibility the ICV system had automatically logged off in his car due to it (the car) sitting idle for an extended period of time before the incident, nonetheless, it was the Named Employee's responsibility to ensure he was logged into the ICV system. Finally, the OPA investigation did not uncover any evidence of mechanical or other failure by the ICV system in the Named Employee's vehicle that would have prevented him from recording his involvement in police activity as required by policy.

FINDINGS

Named Employee #1

Allegation #1

There was a grievance settlement on this case. Therefore a finding of **Not Sustained** (Grievance Settlement) was issued for *In Car Video System: Employees Will Record Police Activity*.

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.