



## OFFICE OF PROFESSIONAL ACCOUNTABILITY

### Closed Case Summary

Complaint Number OPA#2016-0231

Issued Date: 08/29/2016

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	<b>Not Sustained</b> (Lawful and Proper)
Final Discipline	N/A

#### **INCIDENT SYNOPSIS**

The Named Employee was dispatched to a 911 call.

#### **COMPLAINT**

The complainant, a supervisor within the Department, alleged that while responding to a call for service, the Named Employee turned off his In-Car Video (ICV) prior to arrival.

#### **INVESTIGATION**

The OPA investigation included the following actions:

1. Review of the complaint
2. Search for and review of all relevant records and other evidence
3. Review of In-Car Video (ICV)
4. Interview of SPD employee

## **ANALYSIS AND CONCLUSION**

The Named Employee was dispatched to a 911 call. One minute later, before the Named Employee had begun to respond to the call, the dispatcher told the Named Employee to disregard the call. However, the Named Employee remained logged to the call in CAD and began to drive in the direction of the address in the call. Approximately three minutes after the Named Employee was initially dispatched to the call, he activated the In-Car Video (ICV) System in his police car and added the incident number to the video file. About a minute later, the Named Employee stopped the ICV recording. Approximately three minutes after the Named Employee stopped the ICV recording, he drove past the address of the call, but did not stop or make contact with anyone there. The Named Employee took no other action related to this call. The Named Employee told OPA he believed he was logged out of the call before he drove away from the precinct and, as a result, was not required by policy to record anything related to that call. There is no real explanation of why the Named Employee created the brief recording of the call if he believed it was not required. Nonetheless, there would be no policy violation in doing so. The Named Employee also explained that he drove past the address on his way to another call just so he could be in the area in case there was a call back. Based on the preponderance of the evidence, the OPA Director found the circumstances were such that the Named Employee reasonably concluded he had been cancelled from the call and was not required to activate his ICV and create a recording.

## **FINDINGS**

### **Named Employee #1**

#### **Allegation #1**

The preponderance of the evidence showed that the Named Employee reasonably concluded he had been cancelled from the call and was not required to activate his ICV and create a recording. Therefore a finding of **Not Sustained** (Lawful and Proper) 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.*