



OFFICE OF PROFESSIONAL ACCOUNTABILITY

Closed Case Summary

Complaint Number OPA#2016-0956

Issued Date: 01/03/2017

Named Employee #1	
Allegation #1	<u>Seattle Police Department Manual</u> 16.090 (8) In Car Video System: Once Recording Has Begun, Employees Shall Not Stop Recording Until the Event Has Concluded (Policy that was issued March 1, 2016)
OPA Finding	Not Sustained (Lawful and Proper)
Final Discipline	N/A

INCIDENT SYNOPSIS

The Named Employee was dispatched to a collision.

COMPLAINT

The complainant, the Force Review Board, reviewed a case and found that the Named Employee potentially violated SPD's In-Car Video (ICV) policy.

Specifically, the Named Employee did not record her drive from the precinct to the hospital during the ongoing DUI investigation.

INVESTIGATION

The OPA investigation included the following actions:

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

ANALYSIS AND CONCLUSION

The complainant alleged that the Named Employee responded to a report of a collision. The driver of one vehicle (the subject) was arrested and transported to the hospital. The Named Employee is alleged to have stopped her ICV while following another officer who was transporting the subject to the hospital. The Named Employee responded to a serious vehicle accident and activated her ICV en route to the call as required. The ICV remained on until the Named Employee left the scene of the accident. Another officer on the call transported the subject to the hospital for a blood draw. It was believed that the Named Employee followed the subject during the transport. The Named Employee told OPA she was originally going to follow the other patrol car to the hospital, but that car left before she was finished with her work at the scene so she (the Named Employee) went back to the precinct when she was done at the scene. The Named Employee stopped recording when she completed her work at the scene and was returning to the precinct. GPS confirmed that the patrol car in which the subject had been transported to the hospital left the collision scene earlier than the Named Employee's police car. Sometime later, the Named Employee took paperwork for the blood draw to the hospital and dropped it off for the officer with the subject. The Named Employee did not activate her ICV when she took the paperwork to the hospital because she was not involved in the active investigation. In addition, once at the hospital, the Named Employee entered a patient care area which is exempt from recording by the ICV policy.

FINDINGS

Named Employee #1

Allegation #1

A preponderance of the evidence showed that the Named Employee did not commit the alleged policy violation. Therefore a finding of **Not Sustained** (Lawful and Proper) was issued for *In Car Video System: Once Recording Has Begun, Employees Shall Not Stop Recording Until the Event Has Concluded*.

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.