



## OFFICE OF PROFESSIONAL ACCOUNTABILITY

### Closed Case Summary

Complaint Number OPA#2016-0999

Issued Date: 02/28/2017

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 March 1, 2016)
OPA Finding	<b>Not Sustained</b> (Inconclusive)
Allegation #2	<u>Seattle Police Department Manual</u> 8.200 (1) Using Force: Use of Force: When Authorized (Policy that was issued September 1, 2015)
OPA Finding	<b>Not Sustained</b> (Unfounded)
Final Discipline	N/A

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 March 1, 2016)
OPA Finding	<b>Not Sustained</b> (Inconclusive)
Final Discipline	N/A

## **INCIDENT SYNOPSIS**

The Named Employees secured the subject in the back of a patrol car.

## **COMPLAINT**

The complainant, a supervisor within the Department, alleged that the Named Employees did not activate their In-Car Video (ICV) on a call as they thought it had. The complainant also forwarded the subject's allegation that the first Name Employee hit him in the face while he was putting the seat belt on him.

## **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**

Named Employees #1 and #2 believed the record button on the ICV control panel had been pushed but later realized the recording function had not been activated. There was no preponderance of evidence to either prove or disprove whether the failure to record part of the police activity was due to a technical problem or because one of the Named Employees failed to activate the recorder.

The preponderance of the evidence did not support the allegation that Named Employee #1 punched the subject in the face.

## **FINDINGS**

### **Named Employee #1**

#### Allegation #1

There was not a preponderance of the evidence either supporting or refuting the allegation. Therefore a finding of **Not Sustained** (Inconclusive) was issued for *In-Car Video System: Employees Will Record Police Activity*.

#### Allegation #2

The preponderance of the evidence did not support the allegation that Named Employee #1 punched the subject in the face. Therefore a finding of **Not Sustained** (Unfounded) was issued for *Using Force: Use of Force: When Authorized*.

**Named Employee #2**

Allegation #1

There was not a preponderance of the evidence either supporting or refuting the allegation. Therefore a finding of **Not Sustained** (Inconclusive) 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.*