



OFFICE OF PROFESSIONAL ACCOUNTABILITY

Closed Case Summary

Complaint Number OPA#2017-0118

Issued Date: 07/11/2017

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

INCIDENT SYNOPSIS

The Named Employee used another officer's vehicle to transport a subject to the precinct without logging into the other vehicle's In-Car Video (ICV) system. Later, the Named Employee used the same officer's vehicle to respond to an in-progress call.

COMPLAINT

The complainant, a supervisor within the Department, alleged that the Named Employee failed to sync his wireless microphone to the vehicle, and that he also failed to end the original recording and begin a new one for the second call.

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 Named Employee was ordered to drive a different officer's police vehicle to the precinct in order to transport a prisoner who had already been placed in the back of that police car. Given the specific circumstances of this incident, there was some urgency to transport the prisoner as soon as possible and not take the time and create the security risk of moving the prisoner from one car to the Named Employee's car. This sense of urgency also made it impractical for the Named Employee to take the time necessary to shut down the ICV system in the other officer's car and then start it up again and log into it himself. Finally, the Named Employee chose not to stop the ICV from recording and go through the shutdown, re-start and log-in processes at the precinct because he was reluctant to tamper with another officer's ICV recording. It should also be noted that SPD has not provided training for its officers telling them what to do when exchanging cars with another officer while ICV is still running in the car. Given the circumstances and unique features of this incident, along with a lack of training on how to handle such an eventuality, the OPA Director find the Named Employee's decision to keep the ICV running in the other officer's vehicle was reasonable.

FINDINGS

Named Employee #1

Allegation #1

A preponderance of the evidence showed that given the circumstances and unique features of this incident, along with a lack of training on how to handle such an eventuality, the Named Employee's decision to keep the ICV running in the other officer's vehicle was reasonable. 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.