



## **CLOSED CASE SUMMARY**

ISSUED DATE:     OCTOBER 24, 2018

CASE NUMBER:     2018OPA-0493

### **Allegations of Misconduct & Director’s Findings**

Named Employee #1

Allegation(s):		Director’s Findings
# 1	16.090 - In-Car and Body-Worn Video 5. Employees Recording Police Activity	Not Sustained (Training Referral)

***This Closed Case Summary (CCS) represents the opinion of the OPA Director regarding the misconduct alleged and therefore sections are written in the first person.***

#### **EXECUTIVE SUMMARY:**

It was alleged that the Named Employee failed to activate Department video as required by policy.

#### **ANALYSIS AND CONCLUSIONS:**

##### **Named Employee #1 - Allegations #1**

##### ***16.090 - In-Car and Body-Worn Video 5. Employees Recording Police Activity***

Named Employee #1 (NE#1) was dispatched to a call concerning a package that had been stolen from a home. After his response was concluded, NE#1 realized that he failed to activate both Body Worn Video (BWV) and In-Car Video (ICV). At the time he determined this, he made a statement on both video systems memorializing his error. He also contacted SPD communications to make a notification that he failed to activate Department video. The CAD Call Log was accordingly updated to include this information. NE#1 self-reported to a supervisor when he returned to the precinct. Lastly, NE#1 documented the failure to record in his General Offense Report, which included what he believed at the time to be the reason why this occurred.

SPD Policy 16.090-POL-1(5) concerns when Department employees are required to record police activity. SPD Policy 16.090-POL-1(5)(b) sets forth the categories of activity that must be recorded, which includes responses to dispatched calls starting before the employee arrives on the scene. As such, it is clear that NE#1 was required to record Department video during this incident.

While NE#1 did not record here, he self-reported that error virtually immediately to a supervisor, he informed dispatch, and documented the failure in an appropriate report. This is commendable and clearly suggests that the failure to record was a mistake rather than intentional misconduct. As such, and consistent with past OPA decisions, I recommend that NE#1 receive a Training Referral rather than a Sustained finding.

- **Training Referral:** NE#1 should be counseled concerning his failure to timely record Department video during this incident. He should be reminded of the importance of this policy and the Department’s expectation that he will fully and consistently comply with this policy’s requirements. NE#1 should further



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be commended for self-reporting and completing the documentation requirements set forth in SPD Policy 16.090-POL-1(7). No retraining is needed unless NE#1's chain of command deems it necessary. This counseling should be documented and this documentation should be maintained in an appropriate database.

Recommended Finding: **Not Sustained (Training Referral)**