



OFFICE OF PROFESSIONAL ACCOUNTABILITY

Closed Case Summary

Complaint Number OPA#2016-0574

Issued Date: 11/23/2016

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 March 1, 2016)
OPA Finding	Sustained
Allegation #2	<u>Seattle Police Department Manual</u> 16.090 (5) In Car Video System: Employees Will Log in and Perform a System Check (Policy that was issued March 1, 2016)
OPA Finding	Sustained
Allegation #3	<u>Seattle Police Department Manual</u> 16.090 (11) In Car Video System: Employees Document the Existence of Video or Reason for Lack of Video (Policy that was issued March 1, 2016)
OPA Finding	Not Sustained (Inconclusive)
Final Discipline	Written Reprimand

INCIDENT SYNOPSIS

The Named Employee was in the field and responded to a nearby report of unrestrained dogs that had bitten people.

COMPLAINT

During a force investigation into the Named Employee's discharge of his firearm during a call for service, OPA investigators were unable to locate In-Car Video (ICV) for the Named Employee. The complainant, a supervisor within the Department, also discovered that the Named Employee might have previously violated the ICV policy multiple times.

INVESTIGATION

The OPA investigation included the following actions:

1. Review of the complaint memo
2. Search for and review of all relevant records and other evidence
3. Interview of SPD employee

ANALYSIS AND CONCLUSION

The complainant alleged the Named Employee failed to audio and video record police activity as required by policy. SPD policy requires uniformed officers operating an ICV-equipped SPD vehicle to record all police activity. The preponderance of the evidence showed the Named Employee responded to the scene of an incident and engaged in police activity. The Named Employee was in uniform and operating a SPD vehicle equipped with an ICV system. The evidence also showed there was no audio or video recording of the Named Employee's response to the scene or his activity while at the scene. Furthermore, the Named Employee had not logged into the ICV system or conducted a system check that day. The Named Employee told OPA he thought he activated the recording of the ICV system by turning on the emergency lights of his police vehicle.

In the course of this investigation, it was discovered that the Named Employee had not logged into the ICV system in an ICV-equipped vehicle as far back as the beginning of 2016. It was further discovered that the ICV system in the patrol vehicle used by the Named Employee had not been activated as far back as the beginning of 2015. Given the nature of the Named Employee's assignment that did not have him responding to dispatched calls for service, it was difficult to determine the number of incidents when the Named Employee would have been required to log in, perform a system check and record police activity. OPA followed up with the Named Employee's supervisor to recommend that the Named Employee be given clear guidance, given the nature of his assignment, regarding when he must conduct these steps.

FINDINGS

Named Employee #1

Allegation #1

The preponderance of the evidenced showed the Named Employee failed to comply with ICV policy. Therefore a **Sustained** finding was issued for *In Car Video System: Employees Will Record Police Activity*.

Allegation #2

The preponderance of the evidence showed the Named Employee did not log into the ICV system and did not perform a system check. Therefore a **Sustained** finding was issued for *In Car Video System: Employees Will Log in and Perform a System Check*.

Allegation #3

Given the nature of the Named Employee's assignment, it was difficult to determine the number of incidents when the Named Employee would have been required to log in, perform a system check and record police activity. Therefore a finding of **Not Sustained** (Inconclusive) was issued for *In Car Video System: Employees Document the Existence of Video or Reason for Lack of Video*.

Discipline imposed: Written Reprimand

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.