



CLOSED CASE SUMMARY

ISSUED DATE: JANUARY 4, 2018

FROM: DIRECTOR ANDREW MYERBERG
OFFICE OF POLICE ACCOUNTABILITY

CASE NUMBER: 2017OPA-0717

Allegations of Misconduct & Director's Findings

Named Employee #1

Allegation(s):		Director's Findings
# 1	16.090 - In-Car Video System 6. Employees Will Record Police Activity	Sustained
Imposed Discipline		
Retired Prior to Proposed DAR		

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:

The Complainant, a Department sergeant, alleged that Named Employee #1 failed to properly activate her ICV as required by SPD policy.

ANALYSIS AND CONCLUSIONS:

Named Employee #1 - Allegation #1

16.090 - In-Car Video System 6. Employees Will Record Police Activity

An SPD Sergeant (SE#1), who is the direct supervisor of Named Employee #1 (NE#1), discovered that NE#1 had no In-Car Video (ICV) footage for her entire shift worked on July 10, 2017. SE#1 specifically determined that NE#1 was dispatched to two calls for which she did not record ICV. The first call, which was related to general offense report number 2017-250407, is the subject of this OPA investigation. The second call, which was related to general offense report number 2017-250775, is the subject of another OPA investigation under OPA case number 2017OPA-0718.

When SE#1 discovered the lack of ICV, SE#1 sent a memorandum to NE#1 indicating his findings and requesting an explanation for the lack of video. NE#1 responded that she believed that she had recorded ICV, but recognized that, contrary to her normal practice, when she returned to her vehicle she did not turn off her ICV and enter in the information associated with the recording.

During its investigation, OPA verified that NE#1's system was working properly during her dispatch to this call. OPA further determined that NE#1 did not report any malfunctions of her ICV system on the date in question. During her OPA interview, NE#1 asserted that she did not remember whether she activated her ICV. She confirmed that she did not report any problems with her ICV to anyone.



SPD Policy 16.090-POL-1(6) mandates that “employees will record policy activity.” The policy further requires that, when responding to dispatched calls, employees begin their recording “starting before the employee arrives on the call...”

As NE#1 was dispatched to a call for service, she was required to activate her ICV. The evidence establishes that she did not do so. The evidence further establishes that her failure to do so was not the result of any malfunction of her ICV system. For these reasons, I recommend that this allegation be Sustained.

Recommended Finding: **Sustained**