



CLOSED CASE SUMMARY

ISSUED DATE: APRIL 19, 2024

FROM: DEPUTY DIRECTOR BONNIE GLENN, ON BEHALF OF DIRECTOR GINO BETTS, JR.¹
OFFICE OF POLICE ACCOUNTABILITY

CASE NUMBER: 2023OPA-0480

Allegations of Misconduct & Director's Findings

Named Employee #1

Allegation(s):		Director's Findings
# 1	16.090 - In-Car and Body-Worn Video, 16.090-POL-2 Sworn Employees Recording Police Activity, 2. When Sworn Employees Record Activity	Sustained

Imposed Discipline

No Discipline Imposed

Named Employee #2

Allegation(s):		Director's Findings
# 1	16.090 - In-Car and Body-Worn Video, 16.090-POL-2 Sworn Employees Recording Police Activity, 2. When Sworn Employees Record Activity	Sustained

Imposed Discipline

No Discipline Imposed

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 employees failed to activate their body-worn video (BWV) when required.

ADMINISTRATIVE NOTE:

The Complainant alleged an officer (Witness Office #1 or WO#1) dismissed his concerns and told him to call 9-1-1. During its intake, OPA identified that, at the time the Complainant allegedly approached WO#1, WO#1 was responding to a burglary call and was then dispatched to a "Priority 1" shooting call. These calls took precedence over the Complainant's report. OPA returned the professionalism allegation against WO#1 to the chain of command to be handled via a supervisor action.² OPA requested the WO#1's chain of command remind him about the importance of tone and language when speaking with community members.

On March 1, 2024, the Office of Inspector General certified OPA's investigation as thorough, timely, and objective.

¹ Pursuant to City of Seattle Ordinance 125315, Council Bill 118969, Subchapter I, Section 3.29.100(B), the OPA Director may designate a civilian OPA Deputy Director to "perform such duties and have such powers as the OPA Director may prescribe and delegate to implement and efficiently and effectively manage the duties set forth in this Subchapter I."

² Supervisor actions generally involve a minor policy violation or performance issue that is best addressed through training, communication, or coaching by the employee's supervisor. See OPA Internal Operations and Training Manual section 5.4(B)(ii).



SUMMARY OF INVESTIGATION:

The Complainant filed a web-based complaint alleging an SPD officer dismissed his concerns that there was a “robber/intruder” in his building garage.³ The Complainant wrote that he “saw 4 police cars across the street” responding to a different robbery at a restaurant. The Complainant wrote that he asked one of those officers for help, but the officer told him to call 9-1-1. The Complainant alleged that he called 9-1-1 multiple times, but no officers responded.

OPA opened an investigation. OPA reviewed the complaint, computer-aided dispatch (CAD) call reports, GPS information, 9-1-1 call audio, and body-worn video (BWV). OPA interviewed the Complainant, whose account was consistent with his web-based complaint. OPA also interviewed both named employees.

The Seattle Community Assisted Response and Engagement (CARE) agency provides 9-1-1 emergency service dispatching for the City of Seattle. OPA determined that a security system for the Complainant’s garage notified CARE of an alarm at 7:14am on October 23, 2023. The Complainant made his first call to 9-1-1 at 7:25am. The CAD call report showed that CARE dispatched two officers—Named Employee #1 (NE#1) and Named Employee #2 (NE#2)—to the Complainant’s call more than four hours later, at 11:36am.

The CAD call report indicated the named employees arrived at 12:09pm and cleared the call at 12:45pm. GPS information showed the named employees’ vehicle drove to the Complainant’s garage, arriving around 12:03pm and leaving around 12:09pm. OPA searched for, but was unable to locate, BWV for either named employee for this call.

OPA interviewed both named employees, whose statements were consistent. They stated they were dispatched to the call and responded to the garage. Upon their arrival, the locked garage was now open, and not locked anymore. The named employees stated they looked inside the garage and did not see anyone inside. They stated they attempted to call one of the 9-1-1 callers, but no one answered. Both named employees acknowledged not activating their BWV for this call and admitted this violated policy. They stated they would have activated their BWV if they had contacted any witnesses or suspects.

ANALYSIS AND CONCLUSIONS:

Named Employee #1 - Allegation #1

16.090 - In-Car and Body-Worn Video, 16.090-POL-2 Sworn Employees Recording Police Activity, 2. When Sworn Employees Record Activity

It was alleged the named employees failed to activate their BWV when required by policy.

SPD Policy required sworn employees to record certain police activity when it is safe and practical. See SPD Policy 16.090-POL-2(2). Among other things, SPD employees must record, “dispatched calls, starting before the employee arrives on the call to ensure adequate time to turn on cameras.” *Id.*

³ As documented in the Administrative Note above, the Complainant’s professionalism allegation was processed as a supervisor action.



Policy required the named employees to record their response to this dispatched call. Neither did. In their OPA interviews, both named employees acknowledged they violated policy. OPA finds NE#1 in violation of this policy that requires them to activate their BWV in full compliance with SPD policy.

Recommended Finding: **Sustained**

Named Employee #2 - Allegation #1

16.090 - In-Car and Body-Worn Video, 16.090-POL-2 Sworn Employees Recording Police Activity, 2. When Sworn Employees Record Activity

For the reasons set forth above at Named Employee #1, Allegation #1, OPA recommends this allegation be Sustained.

Recommended Finding: **Sustained**