



CLOSED CASE SUMMARY

ISSUED DATE: FEBRUARY 27, 2025

FROM: INTERIM DIRECTOR BONNIE GLENN
OFFICE OF POLICE ACCOUNTABILITY

CASE NUMBER: 2024OPA-0359

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	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:

The Complainant alleged Named Employee #1 (NE#1) did not activate his in-car video (ICV) when required by policy.

ADMINISTRATIVE NOTE:

On January 16, 2025, OIG certified OPA's investigation as thorough, timely, and objective.

SUMMARY OF INVESTIGATION:

NE#1 responded to a dispatched domestic violence incident. During the incident, Type II force was used.¹ The use of Type II force triggered a force investigation and review, during which the investigating sergeant was unable to locate NE#1's ICV. The investigating sergeant referred the issue to OPA as required under SPD policy. See SPD Manual 5.002-POL-5 (requiring supervisors to refer "serious" policy violations to OPA and defining the failure to use ICV when required as a serious violation).

OPA reviewed NE#1's BWV, which was activated in a timely manner. The BWV showed NE#1 parked his vehicle in such a way that his ICV, had it been activated, would not have recorded anything relevant to the domestic violence incident or use of force investigation.

OPA interviewed NE#1. NE#1 said he was at the precinct prior to responding to this call and his vehicle computer had shut down. NE#1 said while he was responding to the call, his vehicle computer had not fully restarted, so he was unable to activate ICV. NE#1 acknowledged he also failed to document this issue as required by policy. See SPD Manual 16.090-POL-1(6) (requiring sworn employees to document the reason for a lack of required video).

¹ Type II is force that causes, or is reasonably expected to cause, physical injury greater than transitory pain but less than great or substantial bodily harm. SPD Interim Policy 8.050 (effective May 19, 2023).



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

The Complainant alleged that NE#1 failed to activate his ICV when required by policy.

SPD policy requires sworn employees to record “dispatched calls, starting before the employee arrived on the call to ensure adequate time to turn on cameras.” SPD Manual 16.090-POL-2(2). This requirement applies so long as it is “safe and practical . . . even if the event is out of view of the camera.” *Id.*

NE#1 did not dispute that he violated this policy and failed to document the reason he lacked ICV in this instance. Considering the totality of the circumstances, OPA finds that NE#1’s violation was not willful and issues a training referral in this instance. In reaching this conclusion, OPA considered NE#1’s time with the department (over seventeen years), absence of any prior OPA complaints concerning a failure to active video, the fact NE#1 timely activated his BWV, the lack of relevance of the ICV recording to the underlying criminal and administrative processes, and credible explanation for forgetting to activate his ICV here. However, NE#1 is admonished that any future failure to activate his ICV or BWV when required would result in a sustained finding.

Accordingly, OPA recommends this allegation be Not Sustained – Training Referral.

- **Required Training:** NE#1’s chain of command should discuss OPA’s findings with him, review SPD Manual 16.090-POL-1(6) and 16.090-POL-2(2) with him, and provide any further retraining and counseling that it deems appropriate. The retraining and counseling conducted should be documented on Blue Team.

Recommended Finding: **Not Sustained – Training Referral**