



OFFICE OF PROFESSIONAL ACCOUNTABILITY

Closed Case Summary

Complaint Number OPA#2016-0014

Issued Date: 07/08/2016

Named Employee #1	
Allegation #1	<u>Seattle Police Department Manual</u> 16.090 (4) In-Car Video System: Employees Will Record Enforcement-Related Activity which Occurs Within Camera Range (Policy that was issued 11/21/2012)
OPA Finding	Not Sustained (Inconclusive)
Final Discipline	N/A

INCIDENT SYNOPSIS

The Named Employee responded to the scene of a disturbance.

COMPLAINT

The complainant, the Force Review Unit, alleged that the Named Employee may have violated the In-Car Video (ICV) policy.

INVESTIGATION

The OPA investigation included the following actions:

1. Review of the complaint memo
2. Review of In-Car Video (ICV)
3. Search for and review of all relevant records and other evidence
4. Interview of SPD employee

ANALYSIS AND CONCLUSION

It was alleged that the Named Employee failed to activate the In-Car Video (ICV) system in his police car and record enforcement activity related to an arrest and use of force by another officer. At the time of the incident, the Named Employee was an acting sergeant. It must be noted that the incident in question took place in September 2014, but was not reported to OPA until January 2016, by the Force Review Unit (FRU). The sergeant who investigated the Use of Force made no mention of the absence of a recording by the Named Employee, nor did the lieutenant or captain who reviewed the force mention a lack of ICV by the Named Employee. It appears it was not until the FRU conducted its standard video review that this issue surfaced and was referred to OPA. The preponderance of the evidence does show that the Named Employee did not record his activities related to this incident. Because the policy in effect at the time only mandated recording for “enforcement-related” activities, the OPA investigation sought to understand specifically what the Named Employee was doing at the scene of the incident. Due to the passage of time, the Named Employee was unable to recall specifically what his role was during this incident. No other evidence was discovered sufficient to form preponderance to prove that the Named Employee had an enforcement role.

FINDINGS

Named Employee #1

Allegation #1

No other evidence was discovered sufficient to form preponderance to prove that the Named Employee had an enforcement role. Therefore a finding of Not Sustained (Inconclusive) was issued for *In-Car Video System: Employees Will Record Enforcement-Related Activity which Occurs Within Camera Range*.

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.