



## OFFICE OF PROFESSIONAL ACCOUNTABILITY

### Closed Case Summary

Complaint Number OPA#2016-1355

Issued Date: 04/27/2017

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	<b>Not Sustained</b> (Training Referral)
Final Discipline	N/A

#### **INCIDENT SYNOPSIS**

The Named Employee was dispatched to an incident location.

#### **COMPLAINT**

The complainant, a supervisor within the Department, was unable to locate any In-Car Videos (ICV) for the Named Employee during review of a Type II Use of Force.

#### **INVESTIGATION**

The OPA investigation included the following actions:

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

## **ANALYSIS AND CONCLUSION**

On the date of this incident, the Named Employee was a Student Officer in the final phase of Field Training with only a few shifts on his own in the West Precinct. He was dispatched to one location in the West Precinct, but mistakenly drove to a different crime scene for the same incident located in the East Precinct. Just as the Named Employee was arriving at the East Precinct location, he realized he had gone to the wrong location. The Named Employee remained for less than a minute before driving to the correct location in the West Precinct. The Named Employee did not activate his ICV before he arrived at the incorrect location in the East Precinct, but did activate his ICV prior to finally arriving at the correct scene in the West Precinct. From a purely technical point of view, the Named Employee complied with the ICV policy in that he began recording before he arrived at the location to which he had been dispatched. For this reason alone, this allegation should not be sustained. However, rather than recommending that the reason for the not sustained finding be one of "lawful and proper," the OPA Director recommended a training referral. The fact was, the Named Employee thought the East Precinct location was where he was supposed to be going, yet he did not activate his ICV before he arrived there. Had that been the location to which he had been dispatched, the Named Employee would have been out of compliance with the requirements of SPD Policy 16.090(6), which says that officers must record all police activity including when responding "to dispatched calls, starting before the employee arrives on the call."

## **FINDINGS**

### **Named Employee #1**

#### Allegation #1

The evidence showed that the Named Employee would benefit from additional training. Therefore a finding of **Not Sustained** (Training Referral) was issued for *In-Car Video System: Employees Will Record Police Activity*.

**Required Training:** The Named Employee should receive counseling from his supervisor emphasizing the importance of activating the recording of his ICV as required by SPD Policy 16.090(6), including before arriving at the scene of a call to which he is dispatched.

*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.*