



OFFICE OF PROFESSIONAL ACCOUNTABILITY

Closed Case Summary

Complaint Number OPA#2016-1454

Issued Date: 06/14/2017

Named Employee #1	
Allegation #1	<u>Seattle Police Department Manual</u> 16.090 (8) In-Car Video System: Once Recording Has Begun, Employees Shall Not Stop Recording Until the Event Has Concluded (Policy that was issued March 1, 2016)
OPA Finding	Not Sustained (Unfounded)
Allegation #2	<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	Not Sustained (Lawful and Proper)
Final Discipline	N/A

INCIDENT SYNOPSIS

The Named Employee responded to an attempted robbery call as a back-up officer.

COMPLAINT

The complainant, a supervisor within the Department, alleged that the Named Employee may have violated policy: while taking an audio statement from the victim, he turned off his In-Car Video (ICV) to mark the recording. He then re-activated his ICV and recorded until the event was concluded.

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

The preponderance of the evidence showed that the Named Employee turned off his ICV when he had concluded his interview and he believed his involvement in the police activity had ended. He had no plans to stay at the scene. However, after he had turned off his ICV the Named Employee saw activity he believed required his attention. The Named Employee then re-activated his ICV.

The preponderance of the evidence showed that the Named Employee properly used his ICV to record both instances of his involvement in police activity as required by policy.

FINDINGS

Named Employee #1

Allegation #1

A preponderance of the evidence showed that the Named Employee turned off his ICV when he believed his involvement in the police activity had ended. Therefore a finding of **Not Sustained** (Unfounded) was issued for In-Car Video System: Once Recording Has Begun, Employees Shall Not Stop Recording Until the Event Has Concluded.

Allegation #2

A preponderance of the evidence showed that the Named Employee properly used his ICV to record both instances of his involvement in police activity as required by policy. Therefore a finding of **Not Sustained** (Lawful and Proper) was issued for *In-Car Video System: Employees Will Record Police Activity*.

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.