



OFFICE OF POLICE ACCOUNTABILITY

Closed Case Summary

Complaint Number 2017OPA-0453

Issued Date: 10/31/2017

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	Sustained
Final Discipline	Written Reprimand

INCIDENT SYNOPSIS

The Named Employee responded to a call.

COMPLAINT

The complainant, the Office of Police Accountability, alleged that Named Employee #1 failed to activate his In-Car Video (ICV) system when responding to a call.

INVESTIGATION

The OPA investigation included the following actions:

1. Review of the original OPA complaint
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

During its investigation into another complaint, OPA discovered that Named Employee #1 failed to activate his ICV when he engaged in law enforcement activity as required by policy. (See Intake Follow-Up.)

SPD Policy 16.090-POL-1(6) instructs officers to activate their ICV systems and record police activity, including the “response to dispatched calls, starting before the employee arrives on the scene and ending consistent with” the requirements of SPD Policy 16.090-POL-1(8). Here, it was undisputed that Named Employee #1 was engaging in police activity in response to a dispatched call. It was further undisputed that Named Employee #1 failed to turn his ICV on prior to arriving at the scene or at any point thereafter.

At his OPA interview, Named Employee #1 stated that he was in the near vicinity of the incident location when he received the call and that he responded quickly. (NE#1 OPA Interview, at p. 3.) He noted that he failed to activate his ICV because it “slipped his mind.” (Id.)

Even were Named Employee #1’s quick response to the scene a mitigating circumstances for the failure to activate his ICV, he was required to document the lack of video in a call update and any related report. Moreover, if SPD policy “requires that an event be recorded, and there is no recording or there was a delay in recording, employees must explain in writing why it was not recorded or why the start of the recording was delayed.” (SPD 16.090-POL-1(11).) Named Employee #1 took no action to remedy his admitted failure to activate his ICV.

ICV use is an important element of police work and a fundamental tool to ensure community trust and confidence in SPD. Moreover, given the City’s and Department’s obligations under the Consent Decree and specifically those concerning the need to properly and accurately report and document incidents, the failure to activate ICV as required is not a minor error.

FINDINGS

Named Employee #1

Allegation #1

A preponderance of the evidence showed that the Named Employee failed to activate ICV, and took no action to remedy his admitted failure to activate his ICV. Therefore a **Sustained** finding was issued for *In-Car Video System: Employees Will Record Police Activity*.

Discipline Imposed: Written Reprimand

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.