

**Audits of Body Worn Camera Footage
Pursuant to City Code 2.10.200
June 2024**

SUMMARY

This memorandum constitutes a random audit, pursuant to City Code 2.10.200.E, of body worn camera recordings for the month of June 2024. The ordinance requires that any findings of material non-compliance with state law, City Code and Police Department policy to be referred to the Chief of Police, the Mayor, the Council Chair, the Mayor's Chief of Staff, and the City Attorney.

The system used by the Department, at the time this audit was conducted, cannot randomly generate a body worn camera (BWC) recording based on a particular timeframe. Because of that limitation, a random number generator was used to identify 5 case numbers (out of 5,211 case numbers) from the month. If a case number had multiple recordings for that case number, a recording was randomly selected for review.

Of the five matters that were reviewed, the audit found that officers appeared to materially comply with City Code, State law, and Department policies.

BODY WORN CAMERA REVIEWS

Case No. 1

Summary

Subject officer drove to the destination and met another officer on a street curb. Subject officer takes lead and begins questioning the male who made the service call regarding being victimized while walking on the street. The victim informs the subject officer that a car drove by him and shot at him, perhaps with an air-soft gun, around 20 times. Then the car returned and once again shot at him around 20 times. The victim states that the car had several males in it but it was a male in the back seat who shot at him. The victim states that he is not sure what struck him, but it may have been an air-soft gun. The victim also said that homophobic remarks were yelled at him while they were shooting him.

Subject officer documented the victim's statements, including the homophobic remarks.

Subject officer asked the victim if he was hit and injured. The victim states that he is ok but he did get hit several times and shows what appears to be welts on his arm and on the side of his torso. Subject officer takes pictures to document injury.

Subject officer asks victim if he could identify the males in the car or provide descriptions of them. Victim was not sure because it was night and dark out but was able to see some letters of the license plate, which the Subject officer documented.

Subject officer returned to patrol car and appeared to be researching specific laws regarding Hate Crimes that may be related to the call. Subject officer speaks to another officer regarding another incident where a group of youth also shot at a homeless person with what appears to be a similar weapon but after some discussion that matter does not appear to be related to this case.

Subject officer informs the victim what will occur following the call. Then returns to the other police officer and started to discuss writing the report for this call. The Subject officer turned off the BWC.

Finding

Officers appeared to comply with State and City Codes and Police Department policy.

It should be noted that the SLCPD Policy Manual requires a responding officer to notify a supervisor if an incident is determined to be a Hate Crime. It is unknown if the Subject Officer determined this to be a Hate Crime in the field, or if additional information was required to make the classification, or if the officer notified a supervisor.

Case No. 2

Summary

Subject officer and another officer (possibly the Field Training Officer or “FTO”) drove to the destination and walked to the front of a home. After the Subject officer rang the doorbell, the homeowner opened the door and told the Subject officer that a large deer was in the premises and appeared to be severely injured.

Both officers commenced to search the area for the injured deer. The officers quickly found the deer a few houses away from the caller’s home. As the officers approached the deer, the deer jumped out and ran off. The FTO then returned to the patrol car to get a rifle to dispatch the deer. The officers continue to search for the deer, locating it one more time but once again the deer ran away. The officers did find several other deer in the neighborhood but eventually terminated the search for the injured deer. Subject officer returned to the patrol car and turned off BWC.

Finding

Officers appeared to comply with State and City Codes and Police Department policy.

In addition, it is clear in the video that the officers understood their policy and public safety responsibilities to be aware of the backdrop and associated risks before firing a weapon to dispatch the injured animal. Ultimately, when they had sight of the deer, there was not a safe opportunity to act, and they chose to not take action.

Case No. 3

Summary

Subject officer drove to the destination and walked into a store. A store employee approached the Subject officer and took her to the back offices to meet with another employee (possibly a manager or assistant manager). The employee and the Subject officer reviewed store videos that appeared to show a male shoplifting, putting unpaid articles in his backpack. The employee informed the Subject officer that this male often came to the store to shoplift and store policy was “customer service,” which only allowed the staff to ask the person to leave the store. Employee also tells the Subject officer that the male offender is often seen in the library.

The Subject officer provided the employee with a weblink to upload videos and witness statement forms. Subject officer informed the employee on the process with the case. Subject officer walked back to patrol car and said “going off camera, end of call” and turned off BWC.

Finding

Officer appeared to comply with State and City Codes and Police Department policy.

Subject officer engaged all persons (staff and customers) throughout the video, treating all with dignity and respect. Additionally, Subject officer showed empathy to with employee experiencing the chronic shoplifting situation.

Case No. 4

Summary

Subject officer responded to a parking lot of an apartment building. Subject officer approaches the male caller, the complainant, who is on the sidewalk next to the apartment and a female, a witness and possible partner of complainant, who is in an apartment porch. The complainant informs the Subject officer that another male is walking around the parking lot, close to his car. The complainant says that he has a videotape of the man walking in the parking lot and waving at him. Complainant says that the man has a protection order against the complainant and should not be around his apartment but continues to harass the complainant. Another police officer joins the Subject officer to assist in the call. The officers view the videos from the complainant and the female

witness, as well as review the protective orders (the complainant has two different protective orders). The complainant informs the Subject officer that the male lives in the same apartment complex and provides him the apartment number. Subject officer documents all the information, including witness statement, and informed the complainant the process that will occur in the case.

Both officers walk to the male's apartment and knock on the door. Male answers the door and Subject officer introduces himself and the other officer and informed the male the purpose of the visit. The male introduces himself and walks into apartment and Subject officer asks if he and the other officer can enter the apartment. The male says yes and commenced to tell the officers that the complainant continues to harass him even though the male has a protective order against the complainant (complainant assaulted the male). The male tells the officers about several issues regarding the complainant, such as being an alcoholic, put bolts underneath the male's car tires to flatten them, and stole male's dog. Male states that he is in contact with the prosecutor's office and crime victims office and is providing them with documentation of harassment by the complainant to present to a judge at a future date.

The officers patiently listen to the male and try to problem solve the situation with the male to "keep the peace." Subject officer documents the male's statements. Both officers depart and Subject officer turns off BWC.

(Subject Officer and assisting Officer each evaluate the content of the language in the protective order and seem to determine that the best approach is to document the events of the evening and refer each party back to the prosecutor and judge for a long-term resolution.)

Finding

Officers appeared to comply with State and City Codes and Police Department policy.

The officers listened patiently to all persons involved to provide the opportunity of being heard. The officers also displayed empathy for those involved and did not rush the investigation. Subject officer also provided transparency by informing the persons involved about the process that will occur in the case.

Case No. 5

Summary

Subject officer and another police officer (possibly an FTO) arrive in a parking lot of a convenience store and fast-food restaurant where there are a few persons who appear to be experiencing homelessness. Another police officer is already present at the scene.

The police officers immediately provide instructions to two persons, a female and male, to sit on the curb. The male complies and sits but the female refuses and says she's done nothing wrong. Subject officer insists that she sit so they can talk because there was a call about a female and male fighting and the two persons fit the descriptions. The female insists that she is not the person they are looking for and says it is another female who was fighting with the male. Subject officer, who is the lead officer, asks female if she can search her for weapons and the female provides consent. No weapons were found. Male is searched by another officer and knives are found (but is not a restricted person).

At that time another female passes by the Subject officer yelling profanities. Subject officer is informed that this second female is the person who was fighting with the male. The Subject officer allows the first female to depart the scene and asks the second female to stop so they can ask her a few questions. The second female continues walking, says the male is her husband and that they had a fight, but it wasn't physical. The second female, the wife, then continues to walk away saying she hasn't done anything wrong while yelling profanities. Subject officer finally informs the wife that she is being detained. The wife continues being belligerent, yelling profanities and eventually the two other officers place handcuffs on her. Subject officer takes over the questioning after another officer started asking the wife questions regarding the call.

It appears that the Subject officer is a new hire and in a period of "field training." An FTO and another officer appeared to be guiding the Subject officer on how to conduct the investigation in this case, providing opportunities for the Subject officer to learn as many of the detailed tasks involved in policing.

The wife says that she and her husband were asked to leave the premises of the fast food restaurant and when they were leaving the husband did not help her carry out their possessions. The wife got angry at the husband and they started fighting, but again, the wife stated that there was not any physical violence.

After documenting the wife's story, the Subject officer goes to the patrol car to conduct a warrant check on the wife and husband. No warrants were found.

Subject officer spoke with other officers to compare stories between wife and husband, which are similar.

The Subject officer and FTO go to restaurant to speak with the employees who made the call. The manager informed the officers that the wife assaulted the husband. Another employee stated that the wife hit the husband several times with her fists to the back of his head. Subject officer asks if the manager and employee are willing to fill out witness statements, which they were and completed the appropriate forms.

Subject officer is guided by the FTO as to what charges can be made based on the investigation. Subject officer returns to the wife and informs her that she is being charged

with domestic violence, simple assault. Subject officer searches wife/offender outside patrol car and then places her in the patrol car. Search discovers a bill that appears to be counterfeit and some drug paraphernalia. The offender will also be charged with the drug paraphernalia.

FTO continues to guide Subject officer on the process and documentation required for this case, such as a Jail Release Agreement and conducting a lethality assessment. During the lethality assessment with the husband/victim, Subject officer mutes audio.

The offender informs Subject officer all her possessions can be given to the victim, which he agrees to take. The offender also requests the phone number from the victim's sister so that she can call her from jail. The victim searches in phone and provides Subject officer the number and then is given to the offender.

Once inside the patrol car with FTO in the passenger seat, the Subject officer informs the offender of the charges. Subject officer also asks the offender if she is sick or injured while interacting with police officers. The offender replies "no." Subject officer and FTO drive offender to jail. Once at the jail, the Subject officer & FTO walk the offender to the Intake entrance and Subject officer turns off BWC.

Finding

Officers appeared to comply with State and City Codes and Police Department policy.

It was not clear on the video if a "blue victim information card" was given to victim, or if there was a discussion with him about a safe place to stay. Other officers may have provided that information but was not in the video. The Police Department may want to follow up to ensure that the information was provided to the victim.

The Subject officer displayed several procedural justice practices. Subject officer engaged all parties involved, including customers in the restaurant and treat all with dignity and respect (including the offender, who was yelling profanities at her). Subject officer also listened patiently and showed empathy to the offender, the victim and the witnesses, to allow voice from those persons involved. Subject officer also provided transparency by informing the offender, the victim and the witnesses what process will occur in the case, as well as their rights. All officers worked well together to provide a learning experience for the Subject officer, while still conducting an efficient investigation and respecting the time and emotions of those involved in the case.

CONCLUSION

Of the five cases that were reviewed, the audit found that police officers appeared to materially comply with City Code, State law, and Police Department policies. Additionally, police officers practiced procedural justice at varying degrees when engaging the public.