

**Audits of Body Worn Camera Footage
Pursuant to City Code 2.10.200
July 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 July 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 5,408 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. However, there are two instances where officers may have committed minor and technical violations of Department policies and one matter where the Department should conduct a further review to determine whether an officer met expectations in accounting for contraband during a vehicle inventory search.

Body Worn Camera Reviews

Case No. 1

Summary

Subject Officer is in a parking lot of a department store and accompanied by another officer. Both officers walk into the store and approach two older male teenagers who are walking out of the store. The Subject Officer informs one of the teenagers that he can leave while the other officer speaks to the other male. What was told to the detained teenage male cannot be heard from the Subject Officer's BWC but the detained teenage male turns around and walks with the two officers to the back of the department store. It appears that the teenage male has been detained for retail theft. Both officers and the teenage male walk into an office space where they meet with a store employee. The Subject Officer asks the teenage male to empty out his pockets. The teenage male takes out several articles from his pocket that may have been shoplifted. There is a discussion between the officers, the store employee, and teenage male about eyewear lenses that may also have been

shoplifted. The Subject Officer tells the teenage male that the store video shows him shoplifting the articles.

The Subject Officer begins documenting the teenage male's information on his laptop. Subject Officer asks the teenage male why he was in the streets and not with his mother (appears the teenage male might be unhoused). As the Subject Officer continues writing his report, the store employee starts interviewing the teenage male while the other officer stands to the side observing the interaction.

The store employee informs the teenage male that since it is the first offense (retail theft), he will not be trespassed but will be if he reoffends. Subject Officer writes citation for retail theft and explains the process to be followed by teenage male. After the citation was given, the Subject Officer turns off BWC. It appears that the officers were working secondary employment at the department store.

Finding

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

The officers displayed empathy to the teenage male's living condition. Officers also recognized and supported the store employee's responsibilities during the case and kept the law enforcement and department store processes separate. The officers were efficient and detained the teenage male as short a time as possible.

Case No. 2

Summary

Subject Officer drives to a street corner and meets another officer who is talking with two females. A Fire Department truck is present but leaves soon after Subject Officer arrives. One of the females, the victim, informs the officers that a car hit her, stopped, and then drove away from the scene. The victim says she slammed her bag on the car as it drove away. Officers ask the victim if she was injured, and she states that she just has some bumps and scratches. Victim described the occupants of the vehicle (small pickup truck) that hit her as a female in her 50s (driver) and a male in his 20s (passenger). Victim got some of the license plate information of the truck. One witness, who had to leave, took pictures of the truck and sent the pictures to the victim.

Subject Officer looked up license plates in the system but did not find the truck. Subject Officer documented victim's injuries (knee, wrist, and elbow) by taking photos with his department-issued cell phone. The other officer informs the victim how the case will proceed and asks if there is anything else they can do to help. Victim says no and leaves. BWC is turned off as officers return to vehicles and end the call.

Finding

The responding officers documented the victim's injuries from the hit and run using a department issued cell phone, and it appears that the device managed to sufficiently document the victim's injuries. However, this practice might be considered a technical violation of SLCPD policies 347.2 and 502.2 which requires the use of Crime Lab technicians to document injuries in hit and run cases. The Department may want to follow up on this case and/or determine whether Crime Lab technicians need to be called out to document very minor injuries that could be easily documented with a cell phone camera.

In addition, the officers were empathetic towards the victim while conducting their investigation.

Case No. 3

Summary

Subject Officer drives to the scene and parks on the side of a street behind a parked car. A female, who is the complainant, and a male walk to the Subject Officer. The male informs the Subject Officer that he will translate from Spanish to English for the complainant. Subject Officer informs the two persons that he speaks Spanish and translation will not be needed. The complainant explains that her car is in a garage, but the owner will not give her the car. She states that she has paid him for mechanical work (\$5,700) and the last time she saw her car in the garage it did not have a motor. She states that she has taken the owner to court and the owner did not appear. The judge ruled that he owed her over \$12,000. Complainant shows several documents to the Subject Officer as she describes the problem, such as receipts, court orders and video of the car's condition. Complainant said that owner has moved locations, and she eventually found him through Facebook from other persons who were also complaining about the owner. Complainant also informed Subject Officer that she has called the West Valley City Police Department regarding the owner and WVC has created a report based on her complaint. Subject Officer informs the complainant that this is a civil matter and not a criminal matter, so he cannot arrest the owner and get her car back, but he will attempt to talk to the owner.

Subject Officer returned to his patrol car and followed the complainant and translator to the location where the mechanic is now working. Subject Officer instructs complainant and translator to not engage the owner when they arrive at the location. Subject Officer walks around the location, which is a large open dirt lot, and takes pictures. Subject Officer asks two males who are working on a vehicle if they have seen the owner, and they say that he went to get some oil. Subject Officer asks if the owner is working on other vehicles in the lot, but they say they do not know.

Subject Officer returns to the complainant and informs her that he did not find her car, but he will try to call the owner. Subject Officer informs the complainant that he will write a

report and will communicate this case to a group of detectives that specialize in stolen vehicles. Subject Officer provides them the case number and recommends that after a few weeks to call the Department and ask for the detective over that case.

On his way out of the lot, Subject Officer runs into another male who walks up to the officer and informs the officer that the owner was at the lot the day before. Male says that the owner moves the cars around the lot and said that in the past other officers have visited the lot looking for cars and the owner. After discussion with the male ended, Subject Officer turned off BWC.

Finding

There may be a technical violation of department policy 600.3.1.d.c, as it requires civil cases to be closed in the field by the initial officer, unless special arrangements are made through a supervisor. Subject officer told the complainant that the case may be followed up on by detectives due to unique circumstances that may cause this case to be investigated as a crime. It is unknown if the subject officer reclassified the case as a theft, or if it was submitted as a civil dispute, or if the subject officer contacted a supervisor. The department may want to follow up to determine if the appropriate steps were taken in this case.

Regardless, the Subject Officer did a great job engaging the complainant, providing empathy for her situation, and showing patience while she described the complex situation. The officer also took steps to try to engage additional department resources to resolve the issue.

Case No. 4

Summary

Subject Officer walks through a park while putting on gloves. Other officers join him and approach a female who is on the ground, curled up on the grass. Officers ask her if she is okay. She said “no” but is crying and mumbling her words so officers cannot understand her. One officer tells the Subject Officer that he knows her and that she has a history of mental health problems. Officers explain to her that a call was made because of a concern for her and inform her that an ambulance is present and can check on her health. Female says she does not want to be taken by ambulance. Subject Officer informs her that medical staff do not have to take her in the ambulance, but they can provide her a health check. Subject Officer then walks to his patrol car and drives back to the scene.

When the Subject Officers return to the scene, other officers were talking with other females that may have information on what is going on with the subject female. Officers ask if the females can care for the Subject female after the medical staff assess her. The

females state that they know the Subject female and agree to take care of her after medical staff are done.

Fire Department officials are now present and inform Subject female that they do not have access to a social worker because it is Sunday. As he listens to the discussion, Subject Officer asks Subject female if she wants to speak to a social worker. Subject female says she “yes” and Subject Officer contacts Dispatch and requests a social worker to meet with Subject female.

Subject female thanks officers for helping her. Subject Officer informs her that social worker is coming (appears as a comforting statement). Subject female continues to cry aloud. Two other females sit with Subject female to comfort her.

Subject Officer walks towards two department social workers and explains the situation. Subject Officer and social workers walk to Subject female and ask females to leave. Subject female informs social workers that she has a mental health condition.

The male social worker walks away from Subject female and Subject Officer joins him. Male social worker says he’s looking for one of the females that may be able to help find Subject female’s husband, who may be able to help calm her down. Male social worker says Subject female has been diagnosed but has not been taking medication. Subject Officer wonders if she’s been taking illegal drugs around the “drum circle” in the park, as well. Male social worker says Subject female is having an “anxiety attack.” Male social worker & Subject Officer speak with another female close to the drum circle and she says that Subject female has been “spiraling” and that she last saw the husband approximately a week ago and that the Subject female has not slept for a week. Female informs the male social worker and Subject Officer that she can keep an eye on Subject female but cannot get her to sleep. Suggests that they may need to take her somewhere to force her to sleep. The assisting female also says Subject female told her the husband may be dead but does not know why she would say that.

Subject Officer returns to patrol car and tries to find the husband’s information via laptop. Subject Officer then approaches social workers and Subject female where they are discussing the possibility of going to the hospital. Subject female says she does not want to go to the hospital and that she will be fine but will call social workers if needed. Female social worker gives Subject female her card with a cell number to call for assistance.

Officers inform Subject female that they are departing and to call the social worker if she needs help. Subject Officer turns off BWC as the call concludes.

Finding

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

The officers were extremely patient with the Subject female, attempting to listen to her needs that were largely incomprehensible because of her crying. Subject Officer immediately turned to the Department's resources and brought social workers to assist the Subject female. The officers continued to seek support from others in the park and supported other professionals in the scene (Fire Department, medical staff, social workers). The officers did not leave the scene until the immediate concerns were addressed.

Case No. 5

Summary

Subject Officer drives to scene of a parking lot and meets with a female, the complainant, who is the person who made the police call. Complainant says another female, the Subject, rear ended her car and now the trunk of her car does not close. The complainant informs Subject Officer of the location of the other female. Subject Officer gave complainant forms to fill and collected ID & insurance information.

Subject female approaches Subject Officer and brings her ID & proof of insurance. Subject Officer asks female what happened. She calmly states that her Jeep just "jumped forward" and hit the car in front of her (complainant's car). Subject Officer provides Subject female paperwork and then documents damage to both vehicles.

Subject Officer runs both IDs through system and finds that Subject female has a revoked registration, suspended license, and a warrant for speeding. Subject Officer requests backup officer, as well as an impound for revoked registration.

Another officer arrives and speaks with both females. Subject Officer provides paperwork to complainant and explains the process and she departs the scene.

Subject Officer informs Subject female that she has a suspended license and a revoked registration. Additionally, Subject Officer informs her that she has a warrant for speeding but will not arrest her.

Subject female states that she has sent paperwork to take care of the suspended license and revoked registration, but Subject Officer informs her that the system does not show that, and he has chosen to impound her vehicle and additionally will give her a citation for suspended license. Subject Officer advises that she should find a way to get home.

Subject female states that she did not know her license was suspended and asks if Subject Officer can do something to keep her car. Subject Officer again explains that he cannot do anything because the system that he is using shows that she has a revoked registration and a suspended license. The Subject female tries to argue why the Subject Officer should let her keep the car, but the Subject Officer again informs her that he must impound the car. The Subject female gets upset and asks if she needs a lawyer and wants the badge number of Subject Officer. Both officers explain that badge number is in the citation and Subject Officer informs Subject female that she needs to find a way to get home. Subject female begins to unpack her car.

A car with another person shows up to pick up Subject female and she moves her property from inside her vehicle to the person's vehicle. Subject Officer returns to patrol car and prints out tow information and gives it to Subject female, who is already in person's car. Subject female informs Subject Officer that the keys are inside her vehicle.

Once the Subject female departed, both officers conduct an inventory of property in the Subject female's vehicle. Officers cannot find the keys and believe Subject female took them. Subject Officer finds a marijuana joint inside a console box in the vehicle and discusses with the other officer whether to charge Subject female. Subject Officer seems to decide to not add charges and places the marijuana cigarette back where he found it and then returns to his patrol car.

Subject Officer prints out documents for tow truck and turns off BWC.

Finding

Subject Officer does not appear to have collected and documented the marijuana joint as evidence or for disposal as contraband. The Department may want to follow up on this matter to determine if the contraband should have been seized and documented.

The officer showed patience in efforts to deescalate the frustrated subject female. The officer also considered the totality of the circumstances in making the decision to impound the vehicle and issue a citation.

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. Officers may have committed minor and technical violations of Police Department Policies in two matters and in one matter, additional follow up may be needed to determine if contraband should have been seized and documented. Throughout, though, officers demonstrated professionalism and empathy in their interactions with members of the public.