



OFFICE OF PROFESSIONAL ACCOUNTABILITY

Closed Case Summary

Complaint Number OPA#2014-0552

Issued Date: 04/08/2015

Named Employee #1	
Allegation #1	<u>Seattle Police Department Manual</u> 8.100 (I) Use of Force: When Authorized (Policy that was issued 01/01/14)
OPA Finding	Not Sustained (Unfounded)
Final Discipline	N/A

Named Employee #2	
Allegation #1	<u>Seattle Police Department Manual</u> 8.100 (I) Use of Force: When Authorized (Policy that was issued 01/01/14)
OPA Finding	Not Sustained (Unfounded)
Final Discipline	N/A

INCIDENT SYNOPSIS

The named employees were dispatched to a call of threats made by the complainant to another person. The complainant was agitated and walked away from the named employees. The named employees told the complainant he was not free to leave. The complainant pushed one of the named employees and ran away from them. The named employees chased the complainant and told him to get on the ground when they caught up to him. The complainant did not comply. The named employees used force to put handcuffs on the complainant and then placed him in the patrol car.

COMPLAINT

The complainant alleged that when he was arrested the named employees used excessive force by throwing him to the ground while handcuffed and kicked him five times.

INVESTIGATION

The OPA investigation included the following actions:

1. Review of the complaint memo
2. Interview of the complainant
3. Search for and review of all relevant records and other evidence
4. Review of In-Car Videos
5. Interviews of SPD employees

ANALYSIS AND CONCLUSION

The evidence showed that the complainant resisted his arrest by the named employees. The In-Car Video and statements of witnesses does not support the version of events given by the complainant. The complainant pleaded guilty in Seattle Municipal Court to Harassment and Resisting Arrest.

FINDINGS

Named Employee #1 and #2

The weight of the evidence showed that the named employees used reasonable, necessary and proportionate force to take the complainant into custody and that the specific force alleged by the complainant (knocking him to the ground and kicking him after he was handcuffed) did not occur. Therefore a finding of **Not Sustained** (Unfounded) was issued for *Use of Force: When Authorized*.

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.