



OFFICE OF PROFESSIONAL ACCOUNTABILITY

Closed Case Summary

Complaint Number OPA#2016-0687

Issued Date: 07/12/2017

Named Employee #1	
Allegation #1	<u>Seattle Police Department Manual</u> 8.400 (1) Use of Force Reporting and Investigation: Officers Shall Report All Uses of Force Except De Minimis Force (Policy that was issued September 1, 2015)
OPA Finding	Not Sustained (Lawful and Proper)
Final Discipline	N/A

Named Employee #2	
Allegation #1	<u>Seattle Police Department Manual</u> 8.400 (1) Use of Force Reporting and Investigation: Officers Shall Report All Uses of Force Except De Minimis Force (Policy that was issued September 1, 2015)
OPA Finding	Not Sustained (Training Referral)
Final Discipline	N/A

INCIDENT SYNOPSIS

Named Employee #1 was involved in arresting a suspect in a shooting, and Named Employee #2 took a statement from the subject regarding the use of force during the arrest.

COMPLAINT

The complainant, the Force Review Board, reported that an individual who had just been arrested stated he had allegedly been punched in the face. The complainant then alleged that this force was not reported by Named Employee #1. The complainant also alleged that a second employee reviewing the force (Named Employee #2) did not report the allegation made by the arrestee.

INVESTIGATION

The OPA investigation included the following actions:

1. Review of the complaint memo
2. Search for and review of all relevant records and other evidence
3. Interviews of SPD employees

ANALYSIS AND CONCLUSION

The preponderance of the evidence showed that Named Employee #1 completed a use of force statement that adequately reported his use of force in this incident as required by policy.

Named Employee #2 took a statement from the subject of force in this incident in which the subject alleged he was struck in the face by the officers. None of the involved officers reported striking the subject in the face. Named Employee #2 did not ask the subject any follow up questions to get more specific information regarding the nature and circumstances of being struck in the face, nor did he try to learn the identity of the specific officer who allegedly struck subject. In addition, Named Employee #2 did not address the apparent conflict between the statement of the subject and the use of force reports from the involved officers.

FINDINGS

Named Employee #1

Allegation #1

A preponderance of the evidence showed that Named Employee #1 completed a use of force statement as required by policy. Therefore a finding of **Not Sustained** (Lawful and Proper) was issued for *Use of Force Reporting and Investigation: Officers Shall Report All Uses of Force Except De Minimis Force*.

Named Employee #2

Allegation #1

The evidence showed that the Named Employee would benefit from additional training. Therefore a finding of **Not Sustained** (Training Referral) was issued for *Use of Force Reporting and Investigation: Officers Shall Report All Uses of Force Except De Minimis Force*.

Required Training: Named Employee #2 should receive specific training and counseling from his supervisor regarding the importance of being thorough in his use of force investigations, as well as resolving and documenting all conflicts between the statements of various involved parties and any available evidence.

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.