



OFFICE OF PROFESSIONAL ACCOUNTABILITY

Closed Case Summary

Complaint Number OPA#2016-0905

Issued Date: 07/20/2017

Named Employee #1	
Allegation #1	<u>Seattle Police Department Manual</u> 8.200 (1) Using Force: When Authorized (Policy that was issued 09/01/15)
OPA Finding	Not Sustained (Lawful and Proper)
Final Discipline	N/A

Named Employee #2	
Allegation #1	<u>Seattle Police Department Manual</u> 8.200 (1) Using Force: When Authorized (Policy that was issued 09/01/15)
OPA Finding	Not Sustained (Lawful and Proper)
Final Discipline	N/A

Named Employee #3	
Allegation #1	<u>Seattle Police Department Manual</u> 8.400 (10) Use of Force Reporting and Investigation: The Incident Commander Will Make Appropriate Notifications of Serious Officer Misconduct or Criminal Liability (Policy that was issued September 1, 2015)
OPA Finding	Not Sustained (Unfounded)
Final Discipline	N/A

INCIDENT SYNOPSIS

The Named Employees arrested the subject.

COMPLAINT

While reviewing the Sergeant's In-Car Video (ICV) for a Use of Force case, a Force Review Unit (FRU) Detective heard the subject state that the Named Employee Officers assaulted her and slammed her head to the ground. The Named Employee covered the allegation of excessive force in his Sergeant's investigation, but did not refer the matter to OPA for an excessive force allegation.

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 from the OPA investigation showed that the force used by Named Employees #1 and #2 was necessary to overcome physical resistance by the subject and complete a lawful arrest. The amount and type of force used was reasonable and proportionate given the subject's actions while being taken into custody and handcuffed.

Based on what Named Employee #3 knew at the time he screened the arrest and conducted his investigation of the force used, it was reasonable for him to conclude there was no potential serious officer misconduct to report.

FINDINGS

Named Employees #1 and #2

Allegation #1

A preponderance of the evidence showed that the force used by Named Employees #1 and #2 was necessary to overcome physical resistance by the subject and complete a lawful arrest. Therefore a finding of **Not Sustained** (Lawful and Proper) was issued for *Using Force: When Authorized*.

Named Employee #3

Allegation #1

A preponderance of the evidence showed that it was reasonable for Named Employee #3 to conclude there was no potential serious officer misconduct to report. Therefore a finding of **Not Sustained** (Unfounded) was issued for *Use of Force Reporting and Investigation: The Incident Commander Will Make Appropriate Notifications of Serious Officer Misconduct or Criminal Liability*.

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.