



OFFICE OF PROFESSIONAL ACCOUNTABILITY

Closed Case Summary

Complaint Number OPA#2016-1348

Issued Date: 07/20/2017

Named Employee #1	
Allegation #1	<u>Seattle Police Department Manual</u> 8.200 (1) Using Force: Use of Force: When Authorized (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> 8.200 (1) Using Force: Use of Force: When Authorized (Policy that was issued September 1, 2015)
OPA Finding	Not Sustained (Lawful and Proper)
Final Discipline	N/A

Named Employee #3	
Allegation #1	<u>Seattle Police Department Manual</u> 8.200 (1) Using Force: Use of Force: When Authorized (Policy that was issued September 1, 2015)
OPA Finding	Not Sustained (Lawful and Proper)
Final Discipline	N/A

INCIDENT SYNOPSIS

The Named Employees were dispatched to investigate a trespasser who didn't want to leave the property.

COMPLAINT

The Complainant alleged that the Named Employees used excessive force when they arrested him. The Complainant also made an allegation of bias for violating your constitutional rights, which was addressed by a separate Bias Review.

INVESTIGATION

The OPA investigation included the following actions:

1. Review of the complaint memo
2. Review of In-Car Videos (ICV)
3. Search for and review of all relevant records and other evidence
4. 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, #2, and #3 was reasonable, necessary and proportionate to overcome the physical resistance and assaultive behavior of the Complainant while he was being lawfully removed for trespassing.

FINDINGS

Named Employees #1, #2, and #3

Allegation #1

The preponderance of the evidence showed that the force used by the Named Employees was reasonable, necessary and proportionate. Therefore a finding of **Not Sustained** (Lawful and Proper) was issued for *Using Force: 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.