



OFFICE OF PROFESSIONAL ACCOUNTABILITY

Closed Case Summary

Complaint Number OPA#2016-1404

Issued Date: 07/12/2017

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 (Unfounded)
Final Discipline	N/A

INCIDENT SYNOPSIS

The Named Employee responded to an incident involving the complainant and the Seattle Fire Department.

COMPLAINT

During an arrest and transport, the complainant alleged that the Named Employee strangled him.

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. Interview of SPD employee

ANALYSIS AND CONCLUSION

The complainant alleged that the Named Employee strangled him during an arrest. After responding to an aid call for an unconscious and unresponsive subject, firefighters were assaulted by the complainant as they tried to render aid to the subject. The Named Employee responded to a “fast back” for the Seattle Fire Department. When the Named Employee arrived on-scene, the complainant was being held down by firefighters. The Named Employee placed handcuffs on the complainant, but told OPA he never used any reportable force on the complainant, let alone any sort of neck hold. The Named Employee was never alone with the complainant, except during transport in a patrol car with the rear seat ICV recording. No force or neck hold was seen on the ICV of the transport. The preponderance of the evidence supported the conclusion that the Named Employee used no reportable force, including any neck holds on the complainant.

FINDINGS

Named Employee #1

Allegation #1

A preponderance of the evidence supported the conclusion that the Named Employee used no reportable force on the complainant. Therefore a finding of **Not Sustained** (Unfounded) 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.