



## OFFICE OF PROFESSIONAL ACCOUNTABILITY

### Closed Case Summary

Complaint Number OPA#2016-1428

Issued Date: 07/12/2017

<b>Named Employee #1</b>	
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	<b>Not Sustained</b> (Lawful and Proper)
Final Discipline	N/A

#### **INCIDENT SYNOPSIS**

The Named Employee arrested a subject.

#### **COMPLAINT**

While investigating a Use of Force, the Named Employee informed the Employee Complainant that an unknown citizen had complained about the use of force used and indicated the Named Employee was too rough. Other non-identified witnesses indicated that the take-down could have been done better. The Employee Complainant forwarded this to OPA mostly based on the comments of one of the then identified witnesses.

#### **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 Named Employee was engaged in what is known as a “c-pop” operation. The Named Employee was part of the arrest team that was sent into the area to arrest the subject for selling drugs for cash. The Named Employee indicated in his interview that it was not a “take down,” but when he grabbed the subject it felt like their legs became intertwined causing them to lose their balance and fall to the ground. Witness officers corroborated the Named Employee’s statement regarding what happened and agreed it was not a “take down.” Moreover, the subject in his interview with the SPD sergeant admitted that he (the subject) resisted the officers in an attempt to throw away illegal drugs. Based on this information, the OPA Director found that the Named Employee’s actions were reasonable, necessary and proportional in order to effect the lawful arrest of the subject.

## **FINDINGS**

### **Named Employee #1**

#### Allegation #1

The preponderance of the evidence showed that that the Named Employee’s actions were reasonable, necessary and proportional in order to effect the lawful arrest of the subject. 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.*