



OFFICE OF PROFESSIONAL ACCOUNTABILITY

Closed Case Summary

Complaint Number 2017OPA-0314

Issued Date: 08/23/2017

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

INCIDENT SYNOPSIS

The Named Employees contacted the complainant based on her identification as a trespassing suspect in a call for service.

COMPLAINT

The complainant alleged that the Named Employees brutally assaulted her while contacting the complainant; the complainant having been identified as a suspect in a call for service regarding trespassing.

INVESTIGATION

The OPA investigation included the following actions:

1. Review of the complaint memo
2. Review of In-Car Video (ICV)
3. Search for and review of all relevant records and other evidence
4. Interviews of SPD employees

ANALYSIS AND CONCLUSION

The complainant alleged that the Named Employees “brutally assaulted” her when she was arrested for trespassing in a parking garage.

As an initial matter, the Named Employees had lawful authority to contact the complainant for trespassing in a private parking garage, based on a complaint made by security officers employed by the garage. When the Named Employees arrived at the scene, the security officers identified the complainant as one of the trespassers.

At that point, the Named Employees had probable cause to arrest the complainant. Prior to them doing so, however, the complainant became agitated and started screaming at the Named Employees. When the Named Employees approached the complainant and took hold of her arms in order to attempt to control her, she then dropped to the ground and refused to cooperate. Due to concerns with officer safety and based on the fact that they had probable cause to place her under arrest at that point, the handcuffing of the complainant was legally justified.

The complainant complained of pain from the handcuffing and the Named Employees properly notified a supervisor. The supervisor conducted a Type I Use of Force investigation and called the Seattle Fire Department (SFD) to examine the complainant. The complainant ultimately declined medical treatment or transport to a local medical facility.

While the complainant alleged that she was “brutally assaulted,” this claim was not supported by ICV audio, officer statements, or the SFD Medical Incident Report. The complainant declined to participate in this investigation.

Based on the totality of the circumstances and the available evidence, the OPA Director found that, consistent with Manual Policy 8.200, the force used by the Named Employees was reasonable, necessary and proportional.

FINDINGS

Named Employees #1 and #2

Allegation #1

The weight of the evidence showed that the force used by the Named Employees was reasonable, necessary and proportional. 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.