



Seattle Office of Police Accountability

November 15, 2018

Chief Carmen Best
Seattle Police Department
PO Box 34986
Seattle, WA 98124-4986

RE: MANAGEMENT ACTION RECOMMENDATION

Dear Chief Best:

Please see the below Management Action Recommendation.

Case Number(s)

- 2017OPA-1218

Topic

- Use of Force Reporting

Summary

- The Named Employee failed to report a complainant's allegation that his neck was grabbed.

Analysis

- SPD Policy *8.400-POL-1* requires that officers report all uses of force except de minimis force.
- The Named Employee expressed confusion with the policy and stated he was not aware of an obligation to report a claim of neck contact where the conduct did not, in fact, occur.
- As the policy is currently written, an officer could plausibly assert that such reporting is not required.

Recommendation(s)

- Add "complaint of contact with a subject's neck" as a trigger for Type I Use of Force reporting and investigation to ensure that such complaints will be critically reviewed in all cases moving forward.
- Alternatively, consider creating a separate reporting event for such an occurrence, similar to the Handcuff Discomfort report set forth in newly revised SPD Policy *8.400-POL-2*, to document and critically review such complaints.

Thank you for your consideration of this matter. I look forward to your response.

Sincerely,

AM

Andrew Myerberg
Director, Office of Police Accountability