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Force Reporting

Officers were taking a subject into custody. They moved him to the front of their vehicle and held each of his arms. The subject jerked forward and struck his own head on the push bar, causing a small laceration. The officers discussed whether this was reportable force. They concluded that since *they* didn't use force, they didn't need to complete any documentation. They reported the subject's injury and the mechanism of that injury to a supervisor. The supervisor was also unclear whether this needed to be documented as a use of force.

While the plain language of the policy suggests that the injury should've been documented as a Type II use of force, OPA found this expectation illogical. Specifically, OPA wondered why officers were required to conduct a lengthy force report when no force was actually used and the subject caused his own injury.

Accordingly, OPA issued a <u>Management Action Recommendation</u> requesting that the Department reevaluate how force should be reported under two common scenarios: (1) when subjects harm themselves or inadvertently suffer an injury in police custody while officers are not hands-on with them; and (2) when subjects injure themselves while officers are hands-on but where those officers do not cause the harm.

Lower Queen Anne OIS

On May 8, 2019, officers responded to a domestic violence disturbance at a lower Queen Anne apartment building. A female resident called 911—while barricaded in her bathroom—reporting that her boyfriend had a knife and was trying to kill her. Officers were dispatched to the scene and kicked down the door when no one answered. Body-worn video footage then shows the male subject standing behind the destroyed door. He did not comply with directions to put his hands up; instead, he raised his arm, which held a knife, and began walking towards officers. Two officers discharged their firearms, which fatally struck the subject.

The subject's mother later complained that the involved officers 1) failed to de-escalate, 2) inappropriately used deadly force, 3) engaged in biased policing, and 4) did not provide required medical assistance. <u>OPA ultimately determined</u> that the officers acted consistent with policy during this incident.

First, OPA found that based on the substance of the 911 call, the subject's actions while armed with a knife, and the subject's proximity to the officers, de-escalation was not safe or feasible.

Second, OPA reasoned that the officers believed the victim could be at risk of serious harm or death. They knew the subject had the means to cause such harm or death, and the fact that he advanced towards the officers with a knife showed that he also had the means to harm the officers and/or others. OPA thus concluded that the officers acted in an objectively reasonable manner when using deadly force.

Third, OPA found no evidence that officers engaged in biased policing. The subject's actions while armed, not his race, were the basis for the action taken.

Fourth, OPA found that another officer on scene did provide timely medical treatment to the subject; however, the scope of the subject's injuries went beyond the collective training of the officers. Moreover, it was quickly determined that the subject was deceased and there was nothing further that could be done.

If you have questions, feedback, content requests, or to add/remove your name from this distribution list, please contact Anne Bettesworth, OPA Deputy Director of Public Affairs, at <u>anne.bettesworth@seattle.gov</u>.