



OFFICE OF PROFESSIONAL ACCOUNTABILITY

Closed Case Summary

Complaint Number OPA#2015-0547

Issued Date: 10/22/2015

Named Employee #1	
Allegation #1	<u>Seattle Police Department Manual</u> 11.020 (1) Employees Will take Reasonable Steps to Ensure the Safety of a Detainee in Their Custody (Policy that was issued 12/19/2012)
OPA Finding	Not Sustained (Training Referral)
Final Discipline	N/A

INCIDENT SYNOPSIS

The named employee was dispatched to a disturbance along with other officers. The subject ran from the officers but was taken into custody. The named employee was the transporting officer for the subject. The subject was not cooperative when he was asked to place his feet inside of the patrol vehicle. The door was eventually closed. The subject then complained of pain and said that his legs, then fingers and then toes were “closed under the door.” The named employee did not stop during the short prisoner transport to the precinct.

COMPLAINT

The complainant, the Force Review Board, alleged that the named employee failed to appropriately respond to the complaint by the subject in order to verify if was true or false.

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. Interview of SPD employees

ANALYSIS AND CONCLUSION

The evidence showed that the transport took a total of 2 minutes and 13 seconds from the moment the door of the patrol vehicle was closed until it reopened at the precinct. The Seattle Fire Department was called to check on the subject's foot for injury. No visible injuries were found. The named employee wrote in his Use of Force statement that he did not believe that the subject's foot had been closed inside of the door because he felt no resistance as he closed the door as would be expected if the subject's foot were trapped.

FINDINGS

Named Employee #1

Allegation #1

The evidence showed that the named employee did not believe that the subject was injured by the patrol car door. Therefore a finding of **Not Sustained** (Training Referral) was issued for *Employees Will take Reasonable Steps to Ensure the Safety of a Detainee in Their Custody*.

Training Referral: While stopping to check on the prisoner's foot would have been the better alternative, the named employee's explanation and rationale for his course of action is not unreasonable and does not display a disregard for the prisoner's welfare. The named employee's supervisor should ensure that he is familiar with the prisoner transportation policy with specific attention to prisoner seating position and use of seatbelts.

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.