



## OFFICE OF PROFESSIONAL ACCOUNTABILITY

### Closed Case Summary

Complaint Number OPA#2015-0775

Issued Date: 11/04/2015

Named Employee #1	
Allegation #1	<u>Seattle Police Department Manual</u> 8.200 POL-3 (4) Officers Shall Only Deploy Conducted Electrical Weapons (CEW) When Objectively Reasonable (Policy that was issued 07/16/2014)
OPA Finding	<b>Not Sustained</b> (Training Referral)
Final Discipline	N/A

#### **INCIDENT SYNOPSIS**

Officers responded to a possible hit and run incident and made contact with the suspect. They attempted to place the suspect into custody. The named employee warned the suspect to stop resisting officers or he would "Tase" him. The named employee deployed his Taser three separate times on the suspect with one deployment lasting nine seconds.

#### **COMPLAINT**

The complainant, the Force Review Board, alleged that the named employee did not employ tactics and decision-making consistent with SPD policy and training during this incident, as his use of force was not within policy.

## **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 responding officers did not believe that the suspect was under control when the named employee arrived. The suspect continued to actively resist their efforts to place him into handcuffs. The named employee previously participated in the pilot program for the X2 Taser and was not aware that the model of Taser he was carrying did not have an automatic application cycle of five-seconds. The named employee was not aware that he delivered a nine-second application to the suspect. Ultimately, the Taser was not effective and it took the efforts of four officers to complete the arrest of the suspect.

## **FINDINGS**

### **Named Employee #1**

#### Allegation #1

The evidence supports that the named employee's use of the Taser was objectively reasonable however; he should receive training on the use of the new model. Therefore a finding of **Not Sustained** (Training Referral) was issued for *Officers Shall Only Deploy CEW When Objectively Reasonable*.

**Required Training:** The named employee's supervisor should verify that the named employee has received adequate training on the use and operation of the Model "X2" Taser, including the manner in which the Taser does or does not self-limit the cycle time of each activation.

*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.*