



OFFICE OF PROFESSIONAL ACCOUNTABILITY

Closed Case Summary

Complaint Number OPA#2016-0228

Issued Date: 08/29/2016

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 09/01/2015)
OPA Finding	Not Sustained (Unfounded)
Final Discipline	N/A

INCIDENT SYNOPSIS

The Named Employee responded to a disturbance.

COMPLAINT

The complainant alleged that the Named Employee used excessive force by pushing him to the ground.

INVESTIGATION

The OPA investigation included the following actions:

1. Review of the complaint
2. Search for and review of all relevant records and other evidence
3. Review of 911 Calls
4. Review of In-Car Video (ICV)
5. Interview of SPD employees

ANALYSIS AND CONCLUSION

The complainant alleged that the Named Employee used excessive force by pushing him to the ground. The preponderance of the evidence shows that the Named Employee did not use any force or take any other action that caused or was related to the complainant falling or going to the ground. The only force used by the Named Employee relative to the complainant was *de minimus* force to prevent the complainant from walking away while he was being lawfully detained during an investigation.

FINDINGS

Named Employee #1

Allegation #1

The preponderance of the evidence shows that the only force used by the Named Employee relative to the complainant was *de minimus* force. Therefore a finding of **Not Sustained** (Unfounded) 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.