



CLOSED CASE SUMMARY

ISSUED DATE: MAY 21, 2018

CASE NUMBER: 2018OPA-0057

Allegations of Misconduct & Director’s Findings

Named Employee #1

Allegation(s):		Director’s Findings
# 1	8.200 - Using Force 1. Use of Force: When Authorized	Not Sustained (Unfounded)

This Closed Case Summary (CCS) represents the opinion of the OPA Director regarding the misconduct alleged and therefore sections are written in the first person.

EXECUTIVE SUMMARY:

The Complainant alleged that the Named Employee caused a large bump to his head.

ANALYSIS AND CONCLUSIONS:

Named Employee #1 - Allegation #1

8.200 - Using Force 1. Use of Force: When Authorized

Officers arrested the Complainant for violating a no contact order. The arresting officers noticed that the Complainant had a large bump on his forehead and that it appeared to be a recent injury. The officers called the Seattle Fire Department to have the Complainant examined. After he received medical treatment, Named Employee #1 (NE#1) transported the Complainant to the South Precinct. There, a Department supervisor screened the arrest and when she asked the Complainant how he received the bump on his forehead, he stated that he fell.

NE#1 subsequently transported the Complainant to the King County Jail (KCJ), but KCJ refused to accept the Complainant due to his injury. As a result, NE#1 transported the Complainant to Harborview Medical Center (HMC). At HMC the Complainant told hospital staff that NE#1 caused the bump on the Complainant’s forehead.

Based on that allegation, the Department supervisor responded to HMC and again interviewed the Complainant, this time taking a recorded statement from him. During that recorded interview, the Complainant repeated his previous statement that he sustained the bump on his head from a fall. He specifically stated that he fell while running away from a stalker. He did not assert to the supervisor that NE#1 had anything to do with his injury. Even though the evidence contradicted the Complainant’s allegation to hospital staff that NE#1 caused the bump to his head, the supervisor promptly reported this matter to OPA consistent with policy. In that referral, the supervisor clearly and succinctly articulated the facts of this case and noted that the evidence did not support a finding of any misconduct on the part of NE#1.

During its investigation, OPA reviewed NE#1’s In-Car Video (ICV). The ICV did not reveal any evidence of NE#1, or any other officer, using force on or causing an injury to the Complainant. The ICV revealed that the bump was present on the Complainant’s head prior to him getting into the patrol car and recorded him telling the Department supervisor



that he incurred the injury when he fell. Lastly, the audio of the ICV did not reflect any indication of a use of force on the subject or that he suffered any injury during his time in police custody.

For these reasons, I find that the allegation that NE#1 used force on and caused an injury to the Complainant to be unsupported by the record in this case. As such, I recommend that this allegation be Not Sustained – Unfounded.

Recommended Finding: **Not Sustained (Unfounded)**