



## CLOSED CASE SUMMARY

ISSUED DATE:     AUGUST 13, 2018

CASE NUMBER:    2018OPA-0167

### 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)

**Named Employee #2**

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 Employees subjected her to excessive force during her arrest.

### ANALYSIS AND CONCLUSIONS:

**Named Employee #1 - Allegation #1**

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

The Complainant was arrested by the Named Employees on a fugitive warrant. Her arrest was later screened at the precinct and she was interviewed by a supervisor. During that screening interview, she alleged that she had been “battered” by officers. The Complainant refused to tell the supervisor how or where she was injured and the supervisor did not observe any injuries on the Complainant’s person. Based on the Complainant’s allegations, the supervisor believed that she was alleging excessive force on the part of the Named Employees, as they were the officers who arrested her. The supervisor reviewed the Named Employees’ Body Worn Video (BWV). She observed no force other than that used to control the Complainant’s body to take her into custody when she was initially noncompliant, as well as the force used to handcuff her when she was arrested. However, due to the nature of the allegations, the supervisor referred this matter to OPA.

OPA evaluated the BWV and reached the same conclusion as the Named Employees’ supervisor – namely, that there was no evidence of any excessive force used on the Complainant by the Named Employees. Indeed, I conclude the opposite as I find that the Named Employees acted appropriately in this matter and consistent with the Department’s policies and expectations. As such, I recommend that this allegation be Not Sustained – Unfounded.

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



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**Named Employee #2 - Allegation #2**

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

For the same reasons as stated above (see Named Employee #1, Allegation #1), I recommend that this allegation be Not Sustained – Unfounded.

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