



## CLOSED CASE SUMMARY

ISSUED DATE: NOVEMBER 28, 2018

CASE NUMBER: 2018OPA-0534

### Allegations of Misconduct & Director’s Findings

#### Named Employee #1

Allegation(s):		Director’s Findings
# 1	8.300 - Use of Force Tools 7. Canine Deployments	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:

It was alleged that NE#1 engaged in an improper off-leash K-9 deployment.

#### ADMINISTRATIVE NOTE:

This case was designated as an Expedited Investigation. This means that OPA, with the OPA Auditor’s review and approval, believed that it could reach and issue recommended findings based solely on its intake investigation and without interviewing the Named Employee. As such, the Named Employee was not interviewed as part of this case.

#### ANALYSIS AND CONCLUSIONS:

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

##### ***8.300 - Use of Force Tools 7. Canine Deployments***

The Subject fled from officers. Named Employee #1 (NE#1), a K-9 officer, tracked the Subject with his K-9. The Subject hid in a greenbelt. The K-9 was used locate the Subject and subsequently bit him. After the fact, the Subject alleged that the K-9 was off-leash at the time of the deployment.

SPD Policy 8.300-POL-7 concerns canine deployments and, specifically, off-leash deployments. For an off-leash deployment to be within policy, it must be “limited to searches for armed felony or armed misdemeanor suspects, wanted for a serious crime, particularly one of violence, where there is a clear danger of death or serious physical injury to the officer or others.”

Pursuant to this policy, it would have been unacceptable to have effectuated an off-leash deployment in this case. The Subject was not known to be armed, was not wanted for a crime of violence, and there was no apparent danger of death or serious physical injury to the officers or anyone else.

However, based on OPA’s review of the video, NE#1 did not actually engage in an off-leash deployment. At the time the K-9 was deployed, the dog was on leash. As such, NE#1 did not violate this policy and the deployment was lawful.



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For these reasons, I recommend that this allegation be Not Sustained – Unfounded.

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