



OFFICE OF PROFESSIONAL ACCOUNTABILITY

Closed Case Summary

Complaint Number OPA#2014-0732

Issued Date: 03/30/2015

Named Employee #1	
Allegation #1	Seattle Police Department Manual 8.100 (2) Use of Force: When Prohibited (Policy that was issued 01/01/14)
OPA Finding	Not Sustained (Unfounded)
Final Discipline	N/A

INCIDENT SYNOPSIS

The named employee was sitting on the passenger side of a patrol vehicle in a parking lot when the complainant, dressed all in black and wearing a mask that covered his face, approached the passenger side door while reaching into his bag to pull out a camera. The named employee quickly got out of the passenger side of the car and the complainant's camera dropped to the ground.

COMPLAINT

The complainant alleged that unnecessary force was used when the named employee struck his wrist with the patrol vehicle door while the complainant was attempting to videotape the named employee.

INVESTIGATION

The OPA investigation included the following actions:

1. Review of the complaint form

2. Interview of the complainant
3. Review of video provided by the complainant
4. Search for and review of all relevant records and other evidence
5. Interviews of SPD employees

ANALYSIS AND CONCLUSION

In consideration of how the complainant was dressed and how he approached the parked patrol vehicle, it was not unreasonable for the named employee to believe that the complainant may have posed a threat to his safety. It was reasonable that the named employee quickly exited the patrol vehicle under these circumstances. Other than the statement by the complainant, there was no evidence to prove or disprove the assertion that the car door struck the complainant.

FINDINGS

Named Employee #1

There was no additional evidence to show if the door of the patrol vehicle hit the complainant's hand. If it did, however, it appears it would have been unintentional or inadvertent. Therefore a finding of **Not Sustained** (Unfounded) was issued for *Use of Force: When Prohibited*.

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.