



OFFICE OF PROFESSIONAL ACCOUNTABILITY

Closed Case Summary

Complaint Number OPA#2015-0345

Issued Date: 10/01/2015

Named Employee #1	
Allegation #1	<u>Seattle Police Department Manual</u> 8.100 (1) Using Force: When Authorized (Policy that was issued 01/01/2014)
OPA Finding	Not Sustained (Lawful and Proper)
Final Discipline	N/A

INCIDENT SYNOPSIS

The named employee responded to a disturbance in a parking lot behind a bank. The officers responding were told that a man was throwing things at a woman (the complainant) and he had pushed her to the ground. They investigated and arrested the man (the suspect) for DV assault. While they were preparing to take the suspect into custody, the complainant sat on the suspect's lap and told the officers that they couldn't take him to jail. After several minutes of asking the complainant to move, the named employee picked her up and placed her on the ground. The suspect was taken into custody and booked into jail.

COMPLAINT

The complainant alleged that the named employee pinned her to the ground causing a bruise on her arm.

INVESTIGATION

The OPA investigation included the following actions:

1. Interview of the complainant
2. Search for and review of all relevant records and other evidence
3. Review of the In-Car Video
4. Interview of SPD employees

ANALYSIS AND CONCLUSION

The officers attempted to solve this situation peacefully before taking any action. They called a Sergeant to the scene. After calm explanations of the legal requirements of a Domestic Violence disturbance, the officers attempted to arrest the suspect. An officer shall use only the force reasonable, necessary, and proportionate to effectively bring an incident or person under control, while protecting the lives of the officer or others. The named employee's action of lifting the complainant off of the suspect was reasonable and necessary in order for the other officers to take the suspect into custody. The In-Car Video captured this incident.

FINDINGS

Named Employee #1

Allegation #1

The evidence showed that the named employee's actions were reasonable and proportional in the situation. Therefore a finding of **Not Sustained** (Lawful and Proper) was issued for *Using 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.