



OFFICE OF PROFESSIONAL ACCOUNTABILITY

Closed Case Summary

Complaint Number OPA#2015-1026

Issued Date: 01/19/2016

Named Employee #1	
Allegation #1	<u>Seattle Police Department Manual</u> 8.100 (1) Using Force: Use of Force When Authorized (Policy that was issued 01/01/2014)
OPA Finding	Not Sustained (Lawful and Proper)
Allegation #2	<u>Seattle Police Department Manual</u> 11.050 (1) Detainee Property: Officers Secure Detainee Property (Policy that was issued 10/01/2014)
OPA Finding	Not Sustained (Unfounded)
Final Discipline	N/A

Named Employee #2	
Allegation #1	<u>Seattle Police Department Manual</u> 8.100 (1) Using Force: Use of Force When Authorized (Policy that was issued 01/01/2014)
OPA Finding	Not Sustained (Lawful and Proper)
Allegation #2	<u>Seattle Police Department Manual</u> 11.050 (1) Detainee Property: Officers Secure Detainee Property (Policy that was issued 10/01/2014)
OPA Finding	Not Sustained (Unfounded)
Final Discipline	N/A

INCIDENT SYNOPSIS

Officers were dispatched to a disturbance at a restaurant. An unknown male was causing a disturbance; however, the suspect left prior to police arrival. Several hours later the named employees responded to a report of an intoxicated male seated inside of the 911 caller's vehicle. The named employees responded to the scene where they detained, identified and arrested the subject for vehicle prowling. The subject was transported to a precinct. The sergeant reviewing the arrest noted that the subject did not complain of any injury or medical issue and that the subject had no visible injuries. Due to the subject's intoxication, he was released from the precinct and the officers gave him a courtesy transport to his home.

COMPLAINT

The complainant, a supervisor within the department, alleged that the named employees used force and took a cell phone when they arrested a subject during a disturbance and car prowling investigation.

INVESTIGATION

The OPA investigation included the following actions:

1. Review of the complaint memo
2. Review of In-Car Videos (ICV)
3. Review of holding cell video
4. Search for and review of all relevant records and other evidence
5. Interview of witnesses
6. Interview of SPD employees

ANALYSIS AND CONCLUSION

The named employees screened the arrest of the subject with a sergeant. There is a video record of the named employees' interaction with the subject on In-Car Video and holding cell video. There is no evidence to substantiate the allegation of excessive force. There is no evidence that the subject was in possession of his cell phone when the named employees first contacted him.

FINDINGS

Named Employee #1 and #2

Allegation #1

There is no evidence to substantiate the allegation of excessive force by either named employee. Therefore a finding of **Not Sustained** (Lawful and Proper) was issued for *Using Force: Use of Force When Authorized*.

Allegation #2

There is no evidence that the subject was in possession of his cell phone when the names employees first contacted him. Therefore a finding of **Not Sustained** (Unfounded) was issued for *Detainee Property: Officers Secure Detainee Property*.

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.