



## OFFICE OF PROFESSIONAL ACCOUNTABILITY

### Closed Case Summary

Complaint Number OPA#2015-1162

Issued Date: 03/04/2016

Named Employee #1	
Allegation #1	<u>Seattle Police Department Manual</u> 8.100 (1) Use of Force: When Authorized (Policy that was issued 01/01/2014)
OPA Finding	<b>Not Sustained</b> (Unfounded)
Allegation #2	<u>Seattle Police Department Manual</u> 16.090 (6) In Car Video System: Employees Will Record Police Activity (Policy that was issued 02/01/2015)
OPA Finding	<b>Sustained</b>
Final Discipline	<b>Written Reprimand</b>

Named Employee #2	
Allegation #1	<u>Seattle Police Department Manual</u> 8.100 (1) Use of Force: When Authorized (Policy that was issued 01/01/2014)
OPA Finding	<b>Not Sustained</b> (Unfounded)
Final Discipline	N/A

## **INCIDENT SYNOPSIS**

The complainant had called a police precinct and asked to speak with a Sergeant. A sergeant returned the call to the complainant on his cell phone and determined, based on the conversation that the complainant might be in crisis. The sergeant asked for officers to be dispatched to check on the complainant's welfare. The named employees responded and found the complainant in a restaurant. The complainant was not causing a disturbance nor was he requested to leave by the management. Named employee #1 asked for the complainant to stand while he conducted a search of him. This was the only physical contact with the complainant. It was determined that the complainant needed to get a refill of his medications. The named employee asked if the complainant had a way to get his medicine. The complainant said yes and voluntarily left the restaurant to catch a bus.

## **COMPLAINT**

The complainant alleged that the named employees responded out of their jurisdiction and contacted him in a restaurant where they were angry in their response to him, grabbed his arm and almost threw him to the ground.

## **INVESTIGATION**

The OPA investigation included the following actions:

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

## **ANALYSIS AND CONCLUSION**

The investigation determined that the named employees were directed by a supervisor to locate the complainant who was in crisis. The named employees completed a community caretaking response with the complainant. The OPA investigation identified no evidence to substantiate the allegation of a violation of the use of force policy as lodged against the named employees. OPA was unable to locate an In-Car Video (ICV) recording from named employee #1 for this incident.

## **FINDINGS**

### **Named Employee #1**

#### **Allegation #1**

The evidence showed that the named employee #1 did not use force in this incident. Therefore a finding of **Not Sustained** (Unfounded) was issued for *Use of Force: When Authorized*.

Allegation #2

The evidence showed that the named employee did not record the event with his In-Car Video (ICV) system. Therefore a **Sustained** finding was issued for *In Car Video System: Employees Will Record Police Activity*.

Discipline imposed: Written Reprimand

**Named Employee #2**

Allegation #1

The evidence showed that the named employee #2 did not use force in this incident. Therefore a finding of **Not Sustained** (Unfounded) was issued for *Use of 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.*