



## OFFICE OF PROFESSIONAL ACCOUNTABILITY

### Closed Case Summary

Complaint Number OPA#2016-0698

Issued Date: 01/03/2017

Named Employee #1	
Allegation #1	<u>Seattle Police Department Manual</u> 8.300-POL-9 Use of Force Tools: Use of Force – HOBBLE RESTRAINT (Policy that was issued September 1, 2015)
OPA Finding	<b>Not Sustained</b> (Lawful and Proper)
Final Discipline	N/A

#### **INCIDENT SYNOPSIS**

The Named Employee responded to a request for assistance in taking a subject into custody.

#### **COMPLAINT**

The complainant, a supervisor within the Department, alleged that the Named Employee violated SPD policy.

#### **INVESTIGATION**

The OPA investigation included the following actions:

1. Review of the complaint memo
2. Search for and review of all relevant records and other evidence
3. Interviews of SPD employees

## **ANALYSIS AND CONCLUSION**

The complainant alleged that the Named Employee may have used a hobble restraint on a combative subject to hog tie the subject in violation of SPD policy. The Named Employee responded to a report of a subject who was out of control and violent. Officers requested assistance in taking him into custody. Once the subject was handcuffed, he continued to struggle and kick the officers. The Named Employee applied a hobble restraint to the subject to prevent him from kicking officers. Even after the hobble was put on the subject, the officers on scene still had trouble controlling the subject. The Named Employee pulled the strap of the hobble restraint through the handcuffs but did not tie or affix them in any manner. He held onto the strap of the hobble and used the handcuffs as a leverage point to gain control of the subject's legs and prevent them from kicking and injuring officers. Once the subject was moved to the transport board and put into four point restraints, the Named Employee removed the hobble restraint. SPD policy states that officers are prohibited from hog tying a subject by affixing the strap to the handcuffs. The Named Employee did not affix the strap of the hobble restraints, he merely used the handcuffs as a leverage point while holding onto the hobble strap. This was not a hog tie of the subject as defined by SPD policy. The Named Employee retained control of the strap at all times and was able to release the strap at any point during the incident.

## **FINDINGS**

### **Named Employee #1**

#### Allegation #1

A preponderance of the evidence showed that the Named Employee did not commit the alleged policy violation. Therefore a finding of **Not Sustained** (Lawful and Proper) was issued for *Use of Force Tools: Use of Force – HOBBLE RESTRAINT*.

*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.*