



## OFFICE OF PROFESSIONAL ACCOUNTABILITY

### Closed Case Summary

Complaint Number OPA#2016-1266

Issued Date: 04/19/2017

Named Employee #1	
Allegation #1	<u>Seattle Police Department Manual</u> 8.200 (1) Using Force: Use of Force: When Authorized (Policy that was issued September 1, 2015)
OPA Finding	<b>Not Sustained</b> (Unfounded)
Final Discipline	N/A

Named Employee #2	
Allegation #1	<u>Seattle Police Department Manual</u> 8.200 (1) Using Force: Use of Force: When Authorized (Policy that was issued September 1, 2015)
OPA Finding	<b>Not Sustained</b> (Unfounded)
Final Discipline	N/A

#### **INCIDENT SYNOPSIS**

The Named Employees arrested the complainant.

#### **COMPLAINT**

The complainant was arrested and said that he was uninjured and in perfect health. As he was being placed in a patrol vehicle a short time later, the complainant instead said that he had been beaten up. The supervisor of the Named Employees who arrested the complainant reported the

incident to OPA, but stated that it was unclear who the complainant was alleging had beat him, and that it appeared the complainant was in crisis. The Named Employees reported using force to arrest the complainant.

## **INVESTIGATION**

The OPA investigation included the following actions:

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

## **ANALYSIS AND CONCLUSION**

The preponderance of the evidence from this investigation showed that neither Named Employee #1 nor Named Employee #2 beat up the complainant as alleged. To the contrary, Named Employees #1 and #2 showed great patience and skill in using time, distance and other resources to de-escalate the situation and attempt to avoid the necessity of using force. In large part, these efforts at de-escalation were successful. It was not until the complainant began to actively and physically resist being handcuffed that Named Employees #1 and #2 used their hands and body weight to take the complainant to the ground and hold him there until he could be successfully handcuffed. Neither Named Employee #1 nor Named Employee #2 struck or hit the complainant, nor did they use any force tool or weapon on him.

## **FINDINGS**

### **Named Employees #1 and #2**

#### **Allegation #1**

The preponderance of the evidence showed that neither Named Employee #1 nor Named Employee #2 used unnecessary force as alleged. Therefore a finding of **Not Sustained** (Unfounded) was issued for *Using Force: 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.*