



OFFICE OF PROFESSIONAL ACCOUNTABILITY

Closed Case Summary

Complaint Number OPA#2016-1375

Issued Date: 05/11/2017

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	Not Sustained (Lawful and Proper)
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	Not Sustained (Lawful and Proper)
Final Discipline	N/A

INCIDENT SYNOPSIS

The Named Employees took the complainant down after he attempted to run from them.

COMPLAINT

The complainant alleged that the Named Employees purposely broke his shoulder.

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 Named Employee #1 grabbed the complainant around the waist and brought him to the ground in order to stop the complainant from escaping. The complainant was being lawfully detained as officers were investigating the apparent fraudulent display of a license plate on a vehicle in which the complainant was a passenger. In addition to grabbing the complainant and taking him to the ground, Named Employee #1 used his hands and body weight to control the complainant on the ground until he could be handcuffed. Given the totality of the circumstances, the OPA Director found the use of force by Named Employee #1 to have been reasonable, necessary and proportional.

The complainant attempted to escape on foot and was taken to the ground by Named Employee #1. Named Employee #2 used his hands and body weight to control the complainant on the ground until he could be handcuffed. Given the totality of the circumstances, the OPA Director found the use of force by Named Employee #2 to have been reasonable, necessary and proportional.

FINDINGS

Named Employees #1 and #2

Allegation #1

A preponderance of the evidence showed that the use of force by Named Employee #1 and #2 was reasonable, necessary and proportional. Therefore a finding of **Not Sustained** (Lawful and Proper) 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.