



## ***CLOSED CASE SUMMARY***

ISSUED DATE: JANUARY 17, 2021

FROM: DIRECTOR ANDREW MYERBERG  
OFFICE OF POLICE ACCOUNTABILITY

CASE NUMBER: 2020OPA-0708

### **Allegations of Misconduct & Director's Findings**

Named Employee #1

Allegation(s):		Director's Findings
# 1	8.200 - Using Force 1. Use of Force: When Authorized	Not Sustained (Unfounded)

***This Closed Case Summary (CCS) represents the opinion of the OPA Director regarding the misconduct alleged and therefore sections are written in the first person.***

### **EXECUTIVE SUMMARY:**

The Complainant alleged that an unknown SPD employee subjected him to excessive force.

### **ANALYSIS AND CONCLUSIONS:**

#### **Named Employee #1 - Allegation #1**

#### ***8.200 - Using Force 1. Use of Force: When Authorized***

The Complainant initiated an OPA complaint in which he claimed that an SPD employee broke his finger during his arrest. The Complainant specifically asserted that, while strapped to a gurney, an unknown SPD officer: "took my right ring finger and twisted it until my finger snapped and was broken." The Complainant sent OPA a supplemental email in which he contended that this injury occurred when he was brought to the King County Jail. This OPA investigation ensued.

As part of its review of this case, OPA determined that SPD officers were dispatched to a report that the Complainant punched a Walgreens security guard. When officers arrived on scene, the Complainant had fallen to the ground and was lying there. The victim told officers that the Complainant punched him three to four times in the face. This was corroborated by a witness. The Complainant was placed under arrest and was transported to the West Precinct.

The BWV indicated that the Complainant was taken into arrest without incident and that he did not complain of pain to his finger at that time. At the precinct, the Complainant was placed into a holding cell. At one point, he complained of various ailments; however, none were related to his finger. In addition, while inside of the holding cell, he tried to strangle himself. Officers entered the holding cell to prevent him from doing so. Medical attention was called for and arrived at the precinct. The Complainant was transported to the King County Jail on a gurney. The BWV did not show any undue force used to place the Complainant on the gurney or capture any allegation of pain to his finger. An SPD officer rode with the Complainant to the hospital. The Complainant complained of general



---

handcuff discomfort but, again, did not allege that he suffered a broken finger. The BWV established that the officer who rode in the ambulance with the Complainant did not twist his finger.

When the Complainant arrived at the King County Jail, he was transferred into the custody of jail employees. Per jail records, the Complainant was reported to have fought with staff when he was removed from the gurney. There was also documentation of one other use of force by jail staff involving the Complainant.

Based on a review of the totality of the evidence, there is no support for the Complainant's assertion that an unknown SPD employee broke his finger. Indeed, the BWV established that no SPD employee twisted his finger or used any force that could have caused such an injury. To the extent he did suffer a broken finger, it is likely the result of his time in the King County Jail and did not occur while he was in SPD custody.

Accordingly, OPA recommends that this allegation be Not Sustained – Unfounded.

Recommended Finding: **Not Sustained (Unfounded)**