



OFFICE OF PROFESSIONAL ACCOUNTABILITY

Closed Case Summary

Complaint Number OPA#2014-0261

Issued Date: 02/23/2015

Named Employee #1	
Allegation #1	<u>Seattle Police Department Manual</u> 8.100 Use of Force: When Authorized (Policy that was issued 1/1/14)
OPA Finding	Not Sustained (Lawful & Proper)
Final Discipline	N/A

Named Employee #2	
Allegation #1	<u>Seattle Police Department Manual</u> 8.100 Use of Force: When Authorized (Policy that was issued 1/1/14)
OPA Finding	Not Sustained (Lawful & Proper)
Final Discipline	N/A

INCIDENT SYNOPSIS

The named employees were dispatched to a possible car prowling event. When they arrived, they made contact with the complainant and a witness, both were suspected of the car prowling. After the named officers established the identity of both the complainant and the witness, named employee #1 determined there were two arrest warrants for the complainant. Named employee #1 escorted the complainant to her patrol vehicle. The complainant became upset and agitated, yelled at the named employees and started to pull away. Named employee #1 took the complainant to the ground in order to cuff him. The named employees then placed the complainant into the patrol vehicle.

COMPLAINT

The complainant alleged that the named employees used excessive force to arrest him which caused a back injury.

INVESTIGATION

The OPA investigation included the following actions:

1. Review of the complaint email
2. Review of In-Car Videos
3. Interviews of Witnesses
4. Interviews of SPD employees

ANALYSIS AND CONCLUSION

An officer shall only use the force reasonable, necessary and proportionate to effectively bring an incident or person under control, while protecting the lives of the officer or others. The evidence gathered from all sources, including In-Car Videos, showed that the complainant resisted the named employees' attempts to take him into custody. The named officers used only necessary and proportionate force to bring the incident under control. In the course of the investigation, the complainant stated that the named officers did not injure him, or cause him to have injury.

FINDINGS

Named Employee #1 and #2

The weight of the evidence showed that the level of force used by named employee #1 to bring the situation under control was reasonable and necessary; therefore a finding of **Not Sustained** (Lawful & Proper) was issued for *Use of Force*.

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.