



## OFFICE OF PROFESSIONAL ACCOUNTABILITY

### Closed Case Summary

Complaint Number OPA#2014-0603

Issued Date: 05/27/2015

<b>Named Employee #1</b>	
Allegation #1	<u>Seattle Police Department Manual</u> 8.100 (1) Using Force: When Authorized (Policy that was issued 01/01/14)
OPA Finding	<b>Not Sustained</b> (Unfounded)
Final Discipline	N/A

#### **INCIDENT SYNOPSIS**

The complainant was driving when he was stopped by Seattle Police Department officers. The car he was driving had been listed as a stolen vehicle. When the officers attempted to handcuff the complainant, he made contact with the ground. The complainant was treated at the scene by the Seattle Fire Department. It was later determined that the car had been erroneously listed as a stolen vehicle; it had since been recovered and returned to the complainant, who was the rightful owner.

#### **COMPLAINT**

The complainant alleged that the named employee pushed him to the ground causing pain and bleeding.

## **INVESTIGATION**

The OPA investigation included the following actions:

1. Review of the complaint voicemail
2. Interview of the complainant
3. Review of the In-Car Video
4. Search for and review of all relevant records and other evidence
5. Interviews of SPD employees

## **ANALYSIS AND CONCLUSION**

A careful review of the evidence, including In-Car Video, shows that the complainant fell forward and was not forced to the ground. An officer shall use only 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 In-Car Video demonstrates the only force used by the named employee was when he placed his hand on the complainant's jacket, and reached for his arms when he did not immediately comply with requests to place his arms behind his back. The force used was proportional and reasonable in the circumstances.

## **FINDINGS**

### **Named Employee #1**

#### Allegation #1

There was no evidence that showed the named employee forced the complainant to the ground. Therefore a finding of **Not Sustained** (Unfounded) was issued for *Using 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.*