



OFFICE OF PROFESSIONAL ACCOUNTABILITY

Closed Case Summary

Complaint Number OPA#2015-0644

Issued Date: 10/29/2015

Named Employee #1	
Allegation #1	<u>Seattle Police Department Manual</u> 8.200–POL–6 (3) Oleoresin Capsicum (OC) Spray; Officers Will Use OC Spray Only When Such Force is Objectively Reasonable, Including When Used for Crowd Dispersal or Protection (Policy that was issued 01/01/2014)
OPA Finding	Not Sustained (Inconclusive)
Allegation #2	<u>Seattle Police Department Manual</u> 5.160 (I.A.) Officers shall recognize and obey the right of persons to observe and photograph officers (Policy that was issued 05/16/2012)
OPA Finding	Not Sustained (Inconclusive)
Final Discipline	N/A

INCIDENT SYNOPSIS

Officers were working during the May Day protests.

COMPLAINT

The complainant alleged she was pepper sprayed during the May Day protests for no reason.

INVESTIGATION

The OPA investigation included the following actions:

1. Review of the complaint email
2. Review of videos
3. Search for and review of all relevant records and other evidence

ANALYSIS AND CONCLUSION

The OPA investigation included a review of the relevant documents and videos compiled as part of individual force investigations and OPA complaints arising out of May Day 2015. The Investigator was unable to identify any incident that resembled the facts described in the complainant's email and the complainant did not respond to attempts to obtain additional information from her. Without further input from the complainant, there is no way to determine if any of these use of force reports represent the encounter that she complained about or if it involved some other incident. Without a further physical description of the complainant or facts about the encounter, there is no context to present to any possibly involved officers for them to address.

FINDINGS

Named Employee #1

Allegation #1

The preponderance of evidence in his case could neither substantiate nor refute the allegations made by the complainant. Therefore a finding of **Not Sustained** (Inconclusive) was issued for *Officers Will Use OC Spray Only When Such Force is Objectively Reasonable, Including When Used for Crowd Dispersal or Protection.*

Allegation #2

The preponderance of evidence in his case could neither substantiate nor refute the allegations made by the complainant. Therefore a finding of **Not Sustained** (Inconclusive) was issued for *Officers shall recognize and obey the right of persons to observe and photograph officers.*

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.