



OFFICE OF PROFESSIONAL ACCOUNTABILITY

Closed Case Summary

Complaint Number OPA#2015-0154

Issued Date: 08/17/2015

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

Named Employee #2	
Allegation #1	<u>Seattle Police Department Manual</u> 8.100 (1) Using Force: When Authorized (Policy that was issued 01/01/14)
OPA Finding	Not Sustained (Lawful and Proper)
Final Discipline	N/A

Named Employee #3	
Allegation #1	<u>Seattle Police Department Manual</u> 8.100 (1) Using Force: When Authorized (Policy that was issued 01/01/14)
OPA Finding	Not Sustained (Lawful and Proper)
Final Discipline	N/A

Named Employee #4	
Allegation #1	<u>Seattle Police Department Manual</u> 8.100 (1) Using Force: When Authorized (Policy that was issued 01/01/14)
OPA Finding	Not Sustained (Lawful and Proper)
Final Discipline	N/A

Named Employee #5	
Allegation #1	<u>Seattle Police Department Manual</u> 16.090 (4) In-Car Video System: Employees Will Record Enforcement-Related Activity Which Occurs Within Camera Range (Policy that was issued 11/11/12)
OPA Finding	Not Sustained (Unfounded)
Final Discipline	N/A

INCIDENT SYNOPSIS

The named employees responded to a call of a man in the street yelling at passers-by armed with a stick or gun. The named employees determined that the man, the complainant, posed a danger to himself and others and that he needed to be involuntarily committed. The complainant threatened to assault the officers if they came near him. The named employees used a team tactic taught during in-service training whereby each officer grabbed an arm or leg of the complainant and took him to the ground. The complainant was restrained and taken to a hospital where he assaulted medical staff and two responding officers.

COMPLAINT

The complainant alleged that the named employees used excessive and unnecessary force against him when they took him into custody for a mental crisis and assault of the officers.

INVESTIGATION

The OPA investigation included the following actions:

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

ANALYSIS AND CONCLUSION

The evidence showed that the named employees reasonably determined that the complainant should be detained as an immediate danger to himself and/or others. They called for additional resources, formed a plan based on their training and employed reasonable and proportionate force to restrain the complainant. The supervisor called to the scene rode with one of the other responding officers rather than driving separately in her own vehicle due to the exigency of the response. As a result, the supervisor did not have separate In-Car Video of the incident.

FINDINGS

Named Employee #1, #2, #3 and #4

Allegation #1

The weight of the evidence showed that the named employees used force that was reasonable and proportional to take the complainant into custody. Therefore a finding of **Not Sustained** (Lawful and Proper) was issued for *Using Force: When Authorized*.

Named Employee #5

Allegation #1

The evidence showed that the named employee, a supervisor, did not employ the In-Car Video as she had rode with another officer due to the priority call as she did not have the time necessary to log-off the system in her own patrol car to re-log onto the officer's system. Therefore a finding of **Not Sustained** (Unfounded) was issued for *In-Car Video System: Employees Will Record Enforcement-Related Activity Which Occurs Within Camera Range*.

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.