



## OFFICE OF PROFESSIONAL ACCOUNTABILITY

### Closed Case Summary

Complaint Number OPA#2016-0118

Issued Date: 10/19/2016

Named Employee #1	
Allegation #1	<u>Seattle Police Department Manual</u> 8.200 (1) Using Force: Use of Force: When Authorized (Policy that was issued September 1, 2015)
OPA Finding	<b>Not Sustained</b> (Lawful and Proper)
Final Discipline	N/A

Named Employee #2	
Allegation #1	<u>Seattle Police Department Manual</u> 8.200 (1) Using Force: Use of Force: When Authorized (Policy that was issued September 1, 2015)
OPA Finding	<b>Not Sustained</b> (Lawful and Proper)
Final Discipline	N/A

#### **INCIDENT SYNOPSIS**

The Named Employees were dispatched to a fight in progress at a hotel bar. The call information was updated to include the presence of a male in a possible mental health crisis.

## **COMPLAINT**

The complainant alleged that the Named Employees used excessive force when taking him into custody, causing injury.

## **INVESTIGATION**

The OPA investigation included the following actions:

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

## **ANALYSIS AND CONCLUSION**

The complainant alleged that Named Employee #1 and #2 assaulted him and used force that was not reasonable, necessary and/or proportionate. The preponderance of the evidence from this investigation showed Named Employee #1 and #2 had probable cause to detain and arrest the complainant. Furthermore, the complainant resisted the lawful commands of Named Employee #1 and #2. The force used by Named Employee #1 and #2 was necessary to control and arrest the complainant and was both reasonable as to the level of force used and proportionate to the resistance given by the complainant.

## **FINDINGS**

### **Named Employee #1**

#### Allegation #1

The force used by Named Employee #1 was necessary to control and arrest the complainant and was both reasonable as to the level of force used and proportionate to the resistance given by the complainant. Therefore a finding of **Not Sustained** (Lawful and Proper) was issued for *Using Force: Use of Force: When Authorized*.

### **Named Employee #2**

#### Allegation #1

The force used by Named Employee #2 was necessary to control and arrest the complainant and was both reasonable as to the level of force used and proportionate to the resistance given by the complainant. Therefore a finding of **Not Sustained** (Lawful and Proper) was issued for *Using Force: Use of 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.*