



OFFICE OF PROFESSIONAL ACCOUNTABILITY

Closed Case Summary

Complaint Number OPA#2014-0285

Issued Date: 02/25/2015

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)
Allegation #2	<u>Seattle Police Department Manual</u> 5.001 Professionalism/Courtesy & Demeanor (Policy that was issued prior to 7/16/14)
OPA Finding	Not Sustained (Training Referral)
Allegation #3	<u>Seattle Police Department Manual</u> 8.300 Use of Force Reporting & Investigation (Policy that was issued 1/1/14)
OPA Finding	Not Sustained (Unfounded)
Final Discipline	N/A

INCIDENT SYNOPSIS

The named employee arrested the complainant for violation of a court order. The named employee transported the complainant to the Precinct and placed her into the holding cell. A conversation took place between the named employee and the complainant. The named employee then escorted the complainant to the patrol vehicle that another SPD employee used to transport her to jail.

COMPLAINT

The complainant alleged that the named employee made inappropriate comments to her while she was in the precinct holding cell. The complainant further alleged that the named employee bruised her arm when she was escorted to the patrol vehicle.

INVESTIGATION

The OPA investigation included the following actions:

1. Review of the complaint email
2. Interview of the complainant
3. Review of In-Car Videos
4. Review of Holding Cell Video
5. Interviews of Witnesses
6. Interviews of SPD employees

ANALYSIS AND CONCLUSION

There was a conversation between the named employee and the complainant while she was in the precinct holding cell. The named employee was trying to give the complainant a “pep talk” as she was talking about how low her life was. The complainant felt that the named employee was “hitting” on her. A comment about the complainant’s ex-boyfriend made the complainant feel that the named employee was angry with her. There was no audio on the holding cell video so the conversation was not recorded, however, the video does not show the named employee being animated or confrontational with the complainant. When the named employee escorted the complainant from the holding cell to the patrol vehicle, he did hold her arm. The complainant said that the named employee hurt her arm during the escort. A witness did not hear any complaint of pain being made and did not believe that the grip on the complainant’s arm was excessive.

FINDINGS

Named Employee #1

Allegation #1

The weight of the evidence showed that named employee #1 held the complainant’s arm when he escorted her to the patrol vehicle and it appeared reasonable and necessary. No amount of reportable force was used; therefore a finding of **Not Sustained** (Lawful & Proper) was issued for *Use of Force*.

Allegation #2

The weight of the evidence showed that named employee #1 was courteous and the conversation was to try and draw the complainant out of her unhappiness. However, the complainant believed that the comments were not appropriate; therefore a finding of **Not Sustained** (Training Referral) was issued for *Professionalism/Courtesy & Demeanor*. The named employee's supervisor has been asked to provide him with training regarding the department's standards and duties policy.

Allegation #3

The weight of the evidence showed that no amount of reportable force was used; therefore a finding of **Not Sustained** (Unfounded) was issued for *Use of Force Reporting and Investigation*.

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.