



## OFFICE OF PROFESSIONAL ACCOUNTABILITY

### Closed Case Summary

Complaint Number OPA#2014-0529

Issued Date: 04/06/2015

Named Employee #1	
Allegation #1	<u>Seattle Police Department Manual</u> 8.100 (1) Use of Force: When Authorized (Policy that was issued 01/01/14)
OPA Finding	<b>Not Sustained</b> (Lawful & Proper)
Allegation #2	<u>Seattle Police Department Manual</u> 8.050 Use of Force: Use of Neck Restraints (Policy that was issued 01/01/14)
OPA Finding	<b>Not Sustained</b> (Unfounded)
Final Discipline	N/A

#### **INCIDENT SYNOPSIS**

Seattle Police Department officers were dispatched to a disturbance where the subject was assaulting family members. The subject was agitated as he sat on the bumper of the patrol vehicle. At one point the subject attempted to stand and the named employee placed his hand on the subject's chest and pushed the subject back into a seated position.

#### **COMPLAINT**

The complainant, a supervisor within the Department, found that the incident may have been handled within policy but subsequently discussed "best practices" with the named employee. It was found on the In-Car Video that the subject complained that he had been assaulted and "choked" by the named employee.

## **INVESTIGATION**

The OPA investigation included the following actions:

1. Review of the complaint email
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 named employee used and documented Type 1 Use of Force when he used his hand to force the agitated subject back down and onto the bumper of the patrol vehicle. The In-Car Video shows that the name employee pressed his hand against the subject's upper chest area and not the subject's throat area as alleged.

## **FINDINGS**

### **Named Employee #1**

#### **Allegation #1**

The force used by the named officer to bring the subject under control was proportionate and properly documented. Therefore a finding of **Not Sustained** (Lawful & Proper) was issued for *Using Force: When Authorized*.

#### **Allegation #2**

The In-Car Video showed no neck restraint used by the named employee on the subject. Therefore a finding of **Not Sustained** (Unfounded) was issued for *Use of Force: Use of Neck Restraints*.

*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.*