



## OFFICE OF PROFESSIONAL ACCOUNTABILITY

### Closed Case Summary

Complaint Number OPA#2015-0300

Issued Date: 08/12/2015

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

#### **INCIDENT SYNOPSIS**

SPD employees were working during a demonstration.

#### **COMPLAINT**

The complainant alleged that excessive force was used by the named employee who knocked down a cyclist riding near an injured officer on the ground.

#### **INVESTIGATION**

The OPA investigation included the following actions:

1. Review of the complaint email
2. Interview of the complainant
3. Review of Body-Worn Video
4. Review of other videos
5. Search for and review of all relevant records and other evidence
6. Interviews of SPD employees

## **ANALYSIS AND CONCLUSION**

An officer shall use only the force reasonable, necessary, and proportionate to effectively bring an incident or person under control, while protecting the lives of the officer or others. OPA was unable to identify and interview the subject upon whom the force was applied in order to determine the forcefulness of the named employee's push. This would have help to know how much that push, versus being tangled with his own bicycle caused the subject to fall. The subject's perspective as to how close he was to the officer that had fallen and whether or not the named employee had slowed down or attempted to slow down before pushing him would have assisted in furthering the investigation. Lastly, any verbal interaction between the subject and the named employee would have been informative as the named employee's objective in pushing the subject.

## **FINDINGS**

### **Named Employee #1**

#### Allegation #1

As OPA was unable to identify the subject, the existing evidence could not prove or disprove that the named employee used force that was not reasonable, necessary and proportionate. Therefore a finding of **Not Sustained** (Inconclusive) was issued for *Using 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.*