



## OFFICE OF PROFESSIONAL ACCOUNTABILITY

### Closed Case Summary

Complaint Number OPA#2015-0509

Issued Date: 10/14/2015

Named Employee #1	
Allegation #1	<u>Seattle Police Department Manual</u> 8.100 (1) Use-of-Force: When Authorized (Policy that was issued 01/01/2014)
OPA Finding	<b>Not Sustained</b> (Unfounded)
Final Discipline	N/A

#### **INCIDENT SYNOPSIS**

The named employee was dispatched to investigate a report of a "man down" who was reportedly wandering into traffic. The named employee located the man, the complainant, lying on the sidewalk. The complainant was highly intoxicated and drinking from a can of beer. The named employee noticed that the complainant had blood and a wrist brace on his right hand. The named employee requested assistance from the Seattle Fire Department to treat the complainant's injury. The complainant was treated at the scene. The named employee asked if the complainant wanted to go to "Detox" due to his current condition. The complainant did not want to go to Detox but agreed to go to the VA Hospital. An AMR ambulance arrived and attempted to transport the complainant to the hospital, but he refused to go with AMR. The complainant told the AMR employees that the named employee had thrown him to the ground and caused the injury to his right hand. The AMR employees told the named employee of the allegation and the named employee notified his sergeant and requested that he respond to the scene. The sergeant arrived and asked the complainant what had happened. The complainant said that the named employee had punched him in the face causing him to fall to the ground. The sergeant requested to photograph the complainant but he refused. The sergeant documented the complaint for the complainant.

## **COMPLAINT**

The complainant alleged that the named employee threw him to the ground, and hit him in the right side of his face/head.

## **INVESTIGATION**

The OPA investigation included the following actions:

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

## **ANALYSIS AND CONCLUSION**

The investigation found no evidence to substantiate the allegation that the named employee threw the complainant to the ground or that the named employee hit the complainant on the right side of his face. The In-Car Video showed the complainant already sitting on the ground when the named employee arrived. When the named employee contacted the complainant there was casual conversation throughout the encounter. The complainant had no other injuries than to his hand, which appeared to have occurred prior to the named employee contacting him.

## **FINDINGS**

### **Named Employee #1**

#### Allegation #1

The evidence supports that the named did not use force. Therefore a finding of **Not Sustained** (Unfounded) was issued for *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.*