



## OFFICE OF PROFESSIONAL ACCOUNTABILITY

### Closed Case Summary

Complaint Number OPA#2015-1588

Issued Date: 05/06/2016

Named Employee #1	
Allegation #1	<u>Seattle Police Department Manual</u> 8.200 (1) Using Force: When Authorized (Policy that was issued 09/01/15)
OPA Finding	<b>Not Sustained</b> (Unfounded)
Allegation #2	<u>Seattle Police Department Manual</u> 11.050 (1) Detainee Property: Officers Secure Detainee Property (Policy that was issued 10/01/14)
OPA Finding	<b>Not Sustained</b> (Inconclusive)
Final Discipline	N/A

Named Employee #2	
Allegation #1	<u>Seattle Police Department Manual</u> 8.200 (1) Using Force: When Authorized (Policy that was issued 09/01/15)
OPA Finding	<b>Not Sustained</b> (Unfounded)
Allegation #2	<u>Seattle Police Department Manual</u> 11.050 (1) Detainee Property: Officers Secure Detainee Property (Policy that was issued 10/01/14)
OPA Finding	<b>Not Sustained</b> (Inconclusive)
Final Discipline	N/A

## **INCIDENT SYNOPSIS**

The Named Employees responded to a call of an intoxicated male and female running around a vehicle parked outside of a restaurant. When the Named Employees arrived, they located a vehicle with a flat tire and two occupants inside. The Named Employees tried to offer solutions to the occupants regarding the flat tire and advised them they were requested to leave the restaurant parking lot. The male subject, the complainant, became argumentative and was opening and slamming the vehicle door. The female subject tried to calm down the complainant. The complainant slammed the door on the female subject's head and she cried out in pain. The Named Employees arrested the complainant for domestic violence assault.

## **COMPLAINT**

The complainant alleged that the Named Employees used excessive force by hitting his head against the side of the patrol car while being placed into the back seat. The complaint further alleged that he is missing money that he had at the time of his arrest.

## **INVESTIGATION**

The OPA investigation included the following actions:

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

## **ANALYSIS AND CONCLUSION**

The OPA investigation interviewed four officers, the complainant and the female subject as well as reviewed the In-Car Video (ICV) of this incident. The events at the point of the complainant's arrest were covered by ICV. There is no evidence to support the force allegation against the Named Employees. The OPA investigation into the allegation of the complainant's missing money did not develop sufficient evidence to either support or refute the claim that that Named Employees mishandled the complainant's property.

## **FINDINGS**

### **Named Employee #1 and #2**

#### Allegation #1

There is no evidence to support the force allegation against the Named Employees. Therefore a finding of **Not Sustained** (Unfounded) was issued for *Using Force: When Authorized*.

#### Allegation #2

The evidence that was developed could neither support nor refute the claim that the Named Employees mishandled the complainant's property. Therefore a finding of **Not Sustained** (Inconclusive) was issued for *Detainee Property: Officers Secure Detainee Property*.

*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.*