



OFFICE OF PROFESSIONAL ACCOUNTABILITY

Closed Case Summary

Complaint Number OPA#2016-1069

Issued Date: 03/10/2017

Named Employee #1	
Allegation #1	<u>Seattle Police Department Manual</u> 8.400 (1) Use of Force Reporting and Investigation: Officers Shall Report All Uses of Force Except De Minimis Force (Policy that was issued September 1, 2015)
OPA Finding	Not Sustained (Training Referral)
Final Discipline	N/A

INCIDENT SYNOPSIS

The Named Employee was a secondary officer who responded to a back-up request.

COMPLAINT

The complainant, a supervisor within the Department, alleged the Named Employee did not report to her supervisor a complaint of pain made by a suspect as she was placing him in the back seat of her car.

INVESTIGATION

The OPA investigation included the following actions:

1. Review of the complaint memo
2. Review of In-Car Videos (ICV)
3. Search for and review of all relevant records and other evidence
4. Interviews of SPD employees

ANALYSIS AND CONCLUSION

The preponderance of the evidence supported the allegation. It was clear by In-Car Video (ICV) evidence that the subject complained of pain due to handcuffs in the presence of the Named Employee. The preponderance of the evidence from the OPA investigation also showed that the Named Employee did not report this Level 1 force to her supervisor. The Named Employee was a probationary officer on her second day of solo patrol when this took place and the OPA Director had taken into consideration the Named Employee's relative inexperience. Once the failure to report the complaint of pain was detected, the Named Employee was counseled regarding this oversight and the importance of reporting all complaints of pain. The Named Employee's shadow Field Training Officer was involved in this re-training and it was documented in the Named Employee's Field Training file. OPA considers this response by the supervisor and the Field Training Unit to be appropriate given the circumstances.

FINDINGS

Named Employee #1

Allegation #1

The evidence showed that the Named Employee would benefit from additional training. Therefore a finding of **Not Sustained** (Training Referral) was issued for *Use of Force Reporting and Investigation: Officers Shall Report All Uses of Force Except De Minimis Force*.

Required Training: In light of the re-training and counseling already completed and documented regarding this oversight, OPA will not require any additional training.

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.