



## OFFICE OF PROFESSIONAL ACCOUNTABILITY

### Closed Case Summary

Complaint Number OPA#2014-0201

Issued Date: 02/25/2015

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

#### **INCIDENT SYNOPSIS**

The named employee and another SPD employee responded to a “911” call of disturbance at the complainant’s former residence. The complainant was arrested for a verified warrant and resisted being handcuffed by the named employee. When they arrived at a precinct, the complainant had blood on his wrist, presumably resulted from the handcuffs.

#### **COMPLAINT**

The complainant alleged that the named employee caused injury when handcuffs were placed on his wrists.

#### **INVESTIGATION**

The OPA investigation included the following actions:

1. Interview of the complainant
2. Review of In-Car Videos
3. Interviews of Witnesses

#### 4. Interviews of SPD employees

### **ANALYSIS AND CONCLUSION**

An officer shall only use the force reasonable, necessary and proportionate to effectively bring an incident or person under control, while protecting the lives of the officer or others. An officer may not use physical force to punish or retaliate. The evidence gathered from all sources showed that the complainant did not want to be arrested and resisted being taken into custody. A witness, who was armed with a knife, tried to intervene in the arrest. The named employee was not able to double lock the handcuffs as he, the complainant and the other SPD employee moved away from the witness with a sheathed knife in her belt. The In-Car Video and audio contradict the complainant's assertions that the named employee handcuffed him too tightly and that the named employee tightened the handcuffs when the complainant stated he was in pain. The complainant did not complain of pain until after he was sitting in the patrol vehicle. The complainant stated that he had a health condition which caused excessive bleeding and the complainant appeared to be intoxicated at the time of the arrest.

### **FINDINGS**

#### **Named Employee #1**

The weight of the evidence does not support that named employee #1 used force to punish or retaliate against the complainant due to his initial resistance; therefore a finding of **Not Sustained** (Unfounded) was issued for *Use of Force: When Prohibited*.

*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.*