



OFFICE OF PROFESSIONAL ACCOUNTABILITY

Closed Case Summary

Complaint Number OPA#2014-0694

Issued Date: 06/04/2015

Named Employee #1	
Allegation #1	<u>Seattle Police Department Manual</u> 8.100 (1) Use of Force: When Authorized (Policy that was issued 01/01/14)
OPA Finding	Not Sustained (Lawful & Proper)
Allegation #2	<u>Seattle Police Department Manual</u> 8.100 (3) Use of Force: De-escalation (Policy that was issued 01/01/14)
OPA Finding	Not Sustained (Lawful & Proper)
Final Discipline	N/A

Named Employee #2	
Allegation #1	<u>Seattle Police Department Manual</u> 8.100 (1) Use of Force: When Authorized (Policy that was issued 01/01/14)
OPA Finding	Not Sustained (Lawful & Proper)
Allegation #2	<u>Seattle Police Department Manual</u> 8.100 (3) Use of Force: De-escalation (Policy that was issued 01/01/14)
OPA Finding	Not Sustained (Lawful & Proper)
Final Discipline	N/A

INCIDENT SYNOPSIS

The named employees responded to a call requesting a welfare check on the complainant by her social worker. The social worker was concerned that the complainant was not taking care of herself and asked the police to accompany her to check on the complainant's welfare. The complainant appeared to be disheveled and possibly to be experiencing a mental health crisis. The complainant put her hand out to push one of the named employees out of her door. The named employees entered her apartment and placed her into handcuffs. The complainant consented to be taken to the hospital voluntarily.

COMPLAINT

The complainant alleged the named employees unlawfully entered her apartment and used unreasonable force to handcuff her, causing pain and injury. She believes that the officers should have used de-escalation tactics and that she had been transported to the hospital based on lies from her social worker.

INVESTIGATION

The OPA investigation included the following actions:

1. Review of the complaint phone call
2. Interview of complainant
3. Review of In-Car Video
4. Search for and review of all relevant records and other evidence
5. 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. The force used by the named officers was reasonable and proportionate in order to place the complainant into handcuffs. The evidence suggests that the extreme force described by the complainant did not occur and that the complainant went to the hospital willingly. The named employees were shown to have been patient and persistent in their efforts to determine the welfare of a person in crisis. It would have been unreasonable to break contact with a person in crisis and it was ultimately the complainant that pushed one of the officers in the chest with her hand. The response was measured and reasonable based on the totality of circumstances faced by the named officers.

FINDINGS

Named Employee #1 & #2

Allegation #1

The evidence showed that the named employees used a level of force that was reasonable and proportional in order to place the complainant into handcuffs. Therefore a finding of **Not Sustained** (Lawful & Proper) was issued for *Use of Force: When Authorized*.

Allegation #2

The evidence showed that the named employees were patient with the complainant and did not take any actions that would escalate the situation. Therefore a finding of **Not Sustained** (Lawful & Proper) was issued for *Use of Force: De-escalation*.

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.