



OFFICE OF PROFESSIONAL ACCOUNTABILITY

Closed Case Summary

Complaint Number OPA#2015-0304

Issued Date: 09/17/2015

Named Employee #1	
Allegation #1	<u>Seattle Police Department Manual</u> 5.001 (9) Professionalism – Employees will avoid unnecessary escalation of events even if those events do not end in reportable uses of force (Policy that was issued 07/16/2014)
OPA Finding	Not Sustained (Training Referral)
Final Discipline	N/A

INCIDENT SYNOPSIS

The named employee conducted a traffic stop and arrested the driver for driving with a suspended license in the 2nd degree (DWLS 2).

COMPLAINT

The complainant, an attorney for the subject, alleged that while on a traffic stop the named employee reached for his gun and treated the subject inappropriately. It is further alleged that the named employee did not de-escalate the situation.

INVESTIGATION

The OPA investigation included the following actions:

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

ANALYSIS AND CONCLUSION

The evidence showed that the named employee was familiar with the subject and knew that he had a suspended license and possibly was armed. During the arrest while the named employee was trying to place handcuffs on the subject, the subject made a reaching motion. The named employee was concerned that the subject may have been reaching for a gun. The named employee placed his hand on his weapon and made an inappropriate remark to the subject. If he had safety concerns about this traffic stop, the named employee should have requested a backing officer. Also the named employee would benefit from a review of verbal and other de-escalation techniques.

FINDINGS

Named Employee #1

Allegation #1

The evidence supports that the named employee was justifiably concerned about his safety but those concerns may have been reduced or mitigated had he been accompanied by one or more backing officers. Therefore a finding of **Not Sustained** (Training Referral) was issued for *Professionalism – Employees will avoid unnecessary escalation of events even if those events do not end in reportable uses of force.*

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.