



## OFFICE OF PROFESSIONAL ACCOUNTABILITY

### Closed Case Summary

Complaint Number OPA#2016-0733

Issued Date: 03/31/2017

Named Employee #1	
Allegation #1	<u>Seattle Police Department Manual</u> 8.400 (2) Use of Force Reporting and Investigation: Officers, Including Witness Officers, Will Verbally Notify a Supervisor Immediately, Unless Not Practical, Following any Use of Reportable Force (Policy that was issued September 1, 2015)
OPA Finding	<b>Not Sustained</b> (Unfounded)
Allegation #2	<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	<b>Not Sustained</b> (Lawful and Proper)
Final Discipline	N/A

Named Employee #2	
Allegation #1	<u>Seattle Police Department Manual</u> 8.400 (2) Use of Force Reporting and Investigation: Officers, Including Witness Officers, Will Verbally Notify a Supervisor Immediately, Unless Not Practical, Following any Use of Reportable Force (Policy that was issued September 1, 2015)
OPA Finding	<b>Not Sustained</b> (Unfounded)

Allegation #2	<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	<b>Not Sustained</b> (Lawful and Proper)
Final Discipline	N/A

### **INCIDENT SYNOPSIS**

The Named Employees arrested a subject.

### **COMPLAINT**

The complainant, a supervisor within the Department, alleged that Named Employees violated policy by not reporting to a supervisor a reportable use of force at the time it occurred.

### **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 showed that Named Employees #1 and #2 arrested the subject and did not use any reportable use of force, and were not aware until after the subject was transported to the jail that he had complained of pain. While it could be heard on the ICV, Named Employees #1 and #2 were not aware of the complaint and immediately upon notice of the complaint in ICV notified their supervisor.

Named Employees #1 and #2 properly documented in their General Offense Report the nature of the arrest, and upon realization that the complainant complained of pain, documented the Type I force as required by policy.

## **FINDINGS**

### **Named Employees #1 and #2**

#### Allegation #1

A preponderance of the evidence showed that the Named Employees arrested the subject and did not use any reportable use of force, and were not aware until after the subject was transported to the jail that he had complained of pain. Therefore a finding of **Not Sustained** (Unfounded) was issued for *Use of Force Reporting and Investigation: Officers, Including Witness Officers, Will Verbally Notify a Supervisor Immediately, Unless Not Practical, Following any Use of Reportable Force*

#### Allegation #2

A preponderance of the evidence showed that the Named Employees properly documented in their General Offense Report the nature of the arrest, and upon realization that the complainant complained of pain, documented the Type I force as required by policy. Therefore a finding of **Not Sustained** (Lawful and Proper) was issued for *Use of Force Reporting and Investigation: Officers Shall Report All Uses of Force Except De Minimis 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.*