



Seattle Office of Police Accountability

January 5, 2021

Interim Chief Adrian Diaz
Seattle Police Department
PO Box 34986
Seattle, WA 98124-4986

Dear Chief Diaz:

Please see the below Management Action Recommendation.

Case Numbers

- 2020OPA-0330 & 2020OPA-0332 / 2021COMP-0001

Topic

- Escalation of Crowds

Summary

- Two videos circulated online showed SPD bicycle officers using force to arrest protesters. Many complainants alleged the Named Employees (NEs) used excessive force by punching (2020OPA-0330) and using a chokehold (2020OPA-0332) on the Subjects.

Analysis

- In 2020OPA-0330, the Subject struck several bicycle officers with his shoulder as they rode by. The NE and the Subject fell to the ground while taking the Subject into custody. A crowd of protesters converged throwing projectiles at officers. The NE delivered two punches to gain compliance from the Subject.
- In 2020OPA-0332, the Subject moved to cut off the NE from other bicycle officers, causing the Subject to make contact with the NE and disrupt his balance. The NE placed his arms around the Subject's shoulder and pulled him to the ground to place him under arrest. An individual in the crowd attempted to interrupt the arrest as others vocally protested the arrest.
- In both incidents, the actions by the NEs to execute lawful arrests for low-level crimes led to greater disorder among the crowd than the original actions of the Subjects.

Recommendation(s)

- Modify SPD policy to place more parameters around officer discretion and responses to misdemeanor offenses during protests and to ensure that officers are balancing the potential escalation of tensions within the crowd against the need to make the arrest. This is particularly important to consider in large-scale protests directed towards law enforcement. OPA provides examples of possible policy changes in the Director's Certification Memo for 2020OPA-0330.

Thank you for your consideration of this matter. I look forward to your response.

Sincerely,

AM

Andrew Myerberg
Director, Office of Police Accountability
