



OFFICE OF PROFESSIONAL ACCOUNTABILITY

Closed Case Summary

Complaint Number OPA#2014-0245

Issued Date: 02/11/2015

Named Employee #1	
Allegation #1	<u>Seattle Police Department Manual</u> 8.400 Reviewing Use of Force (Policy that was issued 1/1/14)
OPA Finding	<u>Not Sustained</u> (Lawful & Proper)
Final Discipline	N/A

INCIDENT SYNOPSIS

On March 27, 2014 an SPD employee arrested the subject of a DUI. While being transported by the arresting employee, the subject complained of pain to her wrists being caused by the handcuffs. The arrest and subject's complaint were screened by a supervisor who also documented the use of force. The use of force packet was sent back to the chain of command because there was no indication that the arresting officer's chain of command had reviewed the In-Car Video associated with the arrest. The named employee, serving as the Acting Captain of his section, reviewed and returned the updated use of force packet to the Use of Force Review Board on June 27, 2014.

COMPLAINT

The complainant, a supervisor with the Department, alleged that the named employee did not review the use of force packet in a timely manner.

INVESTIGATION

The OPA investigation included the following actions:

1. Review of the use of force packet
2. Interview of SPD employees

ANALYSIS AND CONCLUSION

The Use of Force Review Board returned a use of force packet to the named employee with instructions to complete further review and return it by a certain date. The named employee, who was an Acting Captain at the time, was attending to a number of urgent problems. He asked his superior for permission to exceed the time specified by the Use of Force Review Board. This permission was granted. The Use of Force Policy does not set forth any time requirement for supervisors to respond to requests from the Use of Force Review Board and the Use of Force Review Board was not in the named employee's chain of command.

FINDINGS

Named Employee #1

The weight of the evidence showed that the named employee did get permission from his chain of command to exceed the time given by the Use of Force Review Board, therefore a finding of **Not Sustained** (Lawful & Proper) was found for *Review Use 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.