



## OFFICE OF PROFESSIONAL ACCOUNTABILITY

### Closed Case Summary

Complaint Number OPA#2015-1818

Issued Date: 06/28/16

Named Employee #1	
Allegation #1	<u>Seattle Police Department Manual</u> 8.400-POL-2 (2) Use of Force – Type I Investigations: Officers Shall Document All Uses of Reportable Force (Policy that was issued 09/01/2015)
OPA Finding	<b>Not Sustained</b> (Training Referral)
Final Discipline	N/A

#### **INCIDENT SYNOPSIS**

The Named Employee reported to his supervisor three hours after an arrest that the suspect mentioned possible pain from the handcuffs.

#### **COMPLAINT**

The complainant, a supervisor within the Department, alleged that the Named Employee failed to report a use of force regarding the application of handcuffs in a timely manner.

#### **INVESTIGATION**

The OPA investigation included the following actions:

1. Review of the complaint memo
2. Review of In-Car Video (ICV)
3. Search for and review of all relevant records and other evidence
4. Interview of SPD employees

## **ANALYSIS AND CONCLUSION**

The Named Employee was alleged to have violated SPD policy by not notifying an on-duty supervisor when he realized a handcuffed subject had made a complaint of pain, but instead sent his sergeant an email. It appears that the greater concern by the Named Employee's chain of command was that he did not hear the subject make the pain complaint at the time it was made, but only became aware when reviewing In-Car Video (ICV). The Named Employee should have completed the required Use of Force report himself and screened this with an on-duty supervisor. However, the OPA investigation did not produce any evidence to support a conclusion that the Named Employee attempted to conceal the subject's complaint of pain or unreasonably delayed his reporting of it.

## **FINDINGS**

### **Named Employee #1**

#### Allegation #1

The evidence showed that the Named Employee would benefit from additional training. Therefore a **Not Sustained** (Training Referral) finding was issued for *Use of Force – Type I Investigations: Officers Shall Document All Uses of Reportable Force*.

**Required Training:** The Name Employee should receive very specific and directed training from his chain of command regarding his reporting and notification obligations when a person makes a complaint of pain while handcuffed or when any force is used.

*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.*