



OFFICE OF PROFESSIONAL ACCOUNTABILITY

Closed Case Summary

Complaint Number OPA#2016-0071

Issued Date: 10/19/2016

Named Employee #1	
Allegation #1	<u>Seattle Police Department Manual</u> 6.010 (1) Arrests: Officers Must Have Probable Cause That a Suspect Committed a Crime in Order to Effect an Arrest (Policy that was issued April 1, 2015)
OPA Finding	Not Sustained (Lawful and Proper)
Final Discipline	N/A

Named Employee #2	
Allegation #1	<u>Seattle Police Department Manual</u> 6.010 (1) Arrests: Officers Must Have Probable Cause That a Suspect Committed a Crime in Order to Effect an Arrest (Policy that was issued April 1, 2015)
OPA Finding	Not Sustained (Lawful and Proper)
Final Discipline	N/A

Named Employee #3	
Allegation #1	<u>Seattle Police Department Manual</u> 8.100 (1) Using Force: Use of Force: When Authorized (Policy that was issued January 1, 2014)
OPA Finding	Not Sustained (Inconclusive)
Final Discipline	N/A

INCIDENT SYNOPSIS

The Named Employees were working at a demonstration.

COMPLAINT

The complainant alleged that she was wrongfully injured by police projectiles, targeted for lawful activities as a legal observer, and intentionally inhibited from legal observation of a protest.

INVESTIGATION

The OPA investigation included the following actions:

1. Review of the complaint
2. Search for and review of all relevant records and other evidence
3. Interviews of SPD employees

ANALYSIS AND CONCLUSION

The complainant alleged that Named Employees #1 and #2 detained and arrested her without sufficient evidence she had committed a crime. The preponderance of the evidence from this investigation showed Named Employees #1 and #2 observed behavior by the complainant that was sufficient to form probable cause the complainant was obstructing police officers engaged in clearing the street of people.

The complainant alleged that Named Employee #3 discharged a “blue nose” less-lethal projectile at her without a lawful purpose or necessity to do so. The preponderance of the evidence from this investigation was insufficient to determine the identity of the officer who discharged the blue nose round that struck the complainant. It seems most likely the person who did this was not a SPD officer, but an officer from a mutual aid agency.

FINDINGS

Named Employee #1

Allegation #1

The evidence showed that Named Employee #1 observed behavior by the complainant that was sufficient to form probable cause the complainant was obstructing police officers engaged in clearing the street of people. Therefore a finding of **Not Sustained** (Lawful and Proper) was issued for *Arrests: Officers Must Have Probable Cause That a Suspect Committed a Crime in Order to Effect an Arrest*.

Named Employee #2

Allegation #1

The evidence showed that Named Employee #2 observed behavior by the complainant that was sufficient to form probable cause the complainant was obstructing police officers engaged in clearing the street of people. Therefore a finding of **Not Sustained** (Lawful and Proper) was issued for *Arrests: Officers Must Have Probable Cause That a Suspect Committed a Crime in Order to Effect an Arrest*.

Named Employee #3

Allegation #1

The preponderance of the evidence from this investigation was insufficient to determine the identity of the officer who discharged the blue nose round that struck the complainant. Therefore a finding of **Not Sustained** (Inconclusive) was issued for *Using Force: Use of Force: When Authorized*.

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.