



OFFICE OF POLICE ACCOUNTABILITY

Closed Case Summary

Complaint Number 2017OPA-0560

Issued Date: 02/09/2018

Named Employee #1	
Allegation #1	<u>Seattle Police Department Manual</u> 8.200 (1) Using Force: Use of Force: When Authorized (Policy that was issued September 1, 2015)
OPA Finding	Not Sustained (Inconclusive)
Final Discipline	N/A

INCIDENT SYNOPSIS

The complainant observed an interaction between SPD officers and a subject.

COMPLAINT

An anonymous complainant alleged that an unnamed Department employee used excessive force on an unknown subject by slamming him against a police car outside a club.

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

An anonymous complainant made a complaint of excessive force to OPA via an electronic submission. The anonymous complainant indicated that she observed a white male, who appeared to her to be approximately 22 years old, "acting disruptive" and getting "in the face of...police officers." The anonymous complainant reported that a "buff" officer repeatedly pushed the subject, who was described as "very skinny and petite looking," down the street towards a marked patrol vehicle. The subject was arguing with the officer, but the officer was pushing the subject "like a rag doll." Once the officer and the subject reached the patrol vehicle, the officer slammed the subject against the vehicle. Aside from indicating that the officer who allegedly utilized force was "buff," no further description of this officer was provided in the complainant. Moreover, as the complaint was made anonymously, OPA was not able to conduct an interview of the complainant to learn more details about this incident and the involved officer.

During its investigation, OPA performed a GPS search to attempt to determine the identity of the unknown employee referenced in the complaint. OPA searched for those incidents, if any, that were documented as occurring at the relative time and location of the force detailed in the complaint. This search yielded four incidents; however, none of these incidents appeared to be related to the incident outlined in the complaint. These incidents and the lack of a nexus between them and the allegations set forth in the complaint are outlined more fully in the Case Summary.

After a request from the Interim OPA Auditor for additional investigation, OPA again performed a GPS search that yielded similar results. OPA identified one additional police vehicle that was in the general location during that time frame, but this vehicle drove through and did not stop in the vicinity. This indicated that this vehicle and the officers therein were not involved in this incident.

Lastly, OPA interviewed the seven Department employees who were involved in the four incidents that occurred at the same approximate time and place as the force alleged in the complaint. None of the employees recalled observing an officer employ force in a manner consistent with the allegations in the complaint. Moreover, all of the employees denied themselves doing so. Lastly, these witness employees stated that an incident such as what was described in the complaint would have stood out to them and they would have remembered it had it occurred.

Based on the above investigation, OPA was not able to confirm that this incident occurred or to identify the unnamed employee who allegedly utilized force against the subject. As such, the OPA Director could not determine whether there was a violation of policy in this instance.

FINDINGS

Named Employee #1

Allegation #1

There was not a preponderance of the evidence either supporting or refuting the allegation. 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.