



CLOSED CASE SUMMARY

ISSUED DATE: JANUARY 3, 2018

CASE NUMBER: 2017OPA-0688

Allegations of Misconduct & Director’s Findings

Named Employee #1

Allegation(s):		Director’s Findings
# 1	8.200 - Using Force 1. Use of Force: When Authorized	Not Sustained (Unfounded)

Named Employee #2

Allegation(s):		Director’s Findings
# 1	8.200 - Using Force 1. Use of Force: When Authorized	Not Sustained (Unfounded)

This Closed Case Summary (CCS) represents the opinion of the OPA Director regarding the misconduct alleged and therefore sections are written in the first person.

EXECUTIVE SUMMARY:

The Complainant alleged that the Named Employees "slammed" him to the ground, thereby subjecting him to excessive force.

ANALYSIS AND CONCLUSIONS:

Named Employee #1 - Allegation #1

8.200 - Using Force 1. Use of Force: When Authorized

On the date in question, the Named Employees were flagged down regarding an ongoing assault. The Complainant was observed assaulting another individual. The Complainant was contacted by the Named Employees and was placed under arrest. The arrest occurred without incident and no force was used by the officers at that time.

The Complainant was then transported to the precinct. While in the Sally Port of the precinct, the Complainant decided to lay on the ground. A supervisor responded to the Sally Port and spoke with the Complainant. The Complainant told the supervisor that he had been slammed to the ground by the Named Employees, which caused him to suffer an injury to his stomach. The supervisor reported that the Complainant appeared to be intoxicated.

During its investigation, OPA reviewed the statements of the Named Employees, In-Car Video and video from the precinct Sally Port. There is no evidence that the Named Employees used force on the Complainant, let alone excessive force. Indeed, the Sally Port video shows that the Complainant went to the ground on his own accord and that he was not slammed down by either of the Named Employees or, for that matter, by any SPD employee. For these reasons, I recommend that this allegation be Not Sustained – Unfounded.

Recommended Finding: **Not Sustained (Unfounded)**



Named Employee #2 - Allegation #1

8.200 - Using Force 1. Use of Force: When Authorized

For the same reasons as stated above (see Named Employee #1, Allegation #1), I recommend that this allegation be Not Sustained – Unfounded.

Recommended Finding: **Not Sustained (Unfounded)**