



OFFICE OF PROFESSIONAL ACCOUNTABILITY

Closed Case Summary

Complaint Number OPA#2015-0512

Issued Date: 10/19/2015

Named Employee #1	
Allegation #1	<u>Seattle Police Department Manual</u> 8.100 (1) Use-of-Force: When Authorized (Policy that was issued 01/01/2014)
OPA Finding	Not Sustained (Unfounded)
Allegation #2	<u>Seattle Police Department Manual</u> 16.090 (6) Employees Will Record Police Activity (Policy that was issued 11/21/2012)
OPA Finding	Sustained
Final Discipline	No Discipline – Employee had already resigned

INCIDENT SYNOPSIS

The named employee, a student officer, and his Field Training Officer (FTO) were dispatched to a disturbance. The suspect in the disturbance was arrested for trespassing. The suspect's behavior was erratic and indicated he was high on drugs. During the transport to a precinct, the suspect repeatedly hit his head on the security partition in the patrol vehicle. The suspect stated that the named employee had "bashed his head against the door."

COMPLAINT

The complainant, a supervisor within the Department, alleged that the named employee used force against subject while in his custody. There is no In-Car Video (ICV) of the officers contacting the subject and placing him under arrest. The ICV starts during the transport of the subject to a precinct.

INVESTIGATION

The OPA investigation included the following actions:

1. Review of the complaint email
2. Review of the 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 evidence showed that the events did not occur as alleged by the suspect and that the suspect had hit his own head against the security partition in the patrol vehicle. The named employee did not activate his In-Car Video (ICV) system when he arrived at the incident and did not record his law enforcement activity that included arresting the suspect. The FTO activated the ICV on this call as soon as he realized that the named employee had not.

FINDINGS

Named Employee #1

Allegation #1

The evidence showed that the named employee did not use the force alleged by the suspect. Therefore a finding of **Not Sustained** (Unfounded) was issued for *Use-of-Force: When Authorized*.

Allegation #2

The evidence showed that the named employee did not activate his In-Car Video as required by policy to record police activity. Therefore a **Sustained** finding was issued for *Employees Will Record Police Activity*.

Discipline imposed: No Discipline – Employee had already resigned

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.