



OFFICE OF POLICE ACCOUNTABILITY

Closed Case Summary

Complaint Number 2017OPA-0673

Issued Date: 03/13/2018

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 (Unfounded)
Final Discipline	N/A

INCIDENT SYNOPSIS

The complainant was arrested by SPD Officers.

COMPLAINT

The complainant alleged that when he was arrested, he was thrown down and his arm was hurt by unknown officers.

INVESTIGATION

The OPA investigation included the following actions:

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

ANALYSIS AND CONCLUSION

On the date in question, the complainant was arrested for shoplifting. During the arrest, the complainant, who was African-American, responded by asking the officers whether they were also asking white people where they bought their items from and why they were asking him where he did so. He also asked if he was going to be subjected to excessive force due to his race. The OPA Director noted that the officers' alleged failures to report the complainant's allegations of biased policing were addressed in a separate OPA investigation. During his interaction with the officers, the complainant appeared to be intoxicated and he used expletives and racial slurs towards them.

The complainant was transported to the precinct where his arrest was screened by a Sergeant. At that time, the complainant alleged that his arm had been hurt by police officers. The Sergeant reported that the complainant would not allow him to inspect or photograph his arm, nor would the complainant agree to treatment by the Seattle Fire Department. The complainant also alleged that he was thrown to the ground by officers. The Sergeant attempted to determine from the complainant how and when the force and associated injury occurred, but the complainant was uncooperative and stated that he just wanted to go to jail. Like during his initial interaction with officers, the Sergeant stated that the complainant continued to be verbally aggressive and used racial slurs towards him.

The Sergeant spoke to the officers involved in the complainant's arrest, who indicated that no force had been used. He also reviewed In-Car Video (ICV) and did not observe any force. However, as required by policy, the Sergeant referred the complainant's allegation of excessive force to OPA and this investigation ensued.

Based on the OPA Director's review of the ICV associated with this matter, the complainant's arrest appeared to have been effectuated without the use of force. There was no evidence that any officer used reportable force on the complainant. OPA attempted to interview the complainant but was unsuccessful. As such, the OPA Director found the complainant's allegation that he was thrown to the ground and that he suffered an injury to his arm to be without any support in the record.

FINDINGS

Named Employee #1

Allegation #1

A preponderance of the evidence showed that there was nothing in the record to support this allegation. Therefore a finding of **Not Sustained** (Unfounded) 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.