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Contact: Anne Bettesworth
Assistant Director of Public Affairs
Anne.Bettesworth@seattle.gov

Seattle police oversight entity finds officers failed to de-escalate before fatal shooting; recommends changes

SEATTLE – Today the Office of Police Accountability (OPA) released the [results of an investigation](#) concluding that two Seattle police officers violated policy when they failed to de-escalate a situation before fatally shooting a man last February. The investigation also examined whether the officers' use of deadly force was consistent with policy.

The incident occurred on February 15, 2021, when two Port of Seattle officers saw an individual—now known to have been Derek Hayden—on Alaskan Way holding a butcher knife to his throat. They requested assistance and multiple Seattle police officers responded. This initial group of officers began developing a tactical plan while keeping a safe distance from Mr. Hayden. In the meantime, two additional officers—the employees at the center of this investigation—arrived at the scene and intercepted Mr. Hayden. They stopped their patrol vehicle in his path, moved away from the cover it provided, and, with weapons drawn, began giving him commands. Mr. Hayden advanced toward one of those officers with his knife raised up while saying, “Do it, please, just shoot me.” Both officers fired shots at Mr. Hayden, who was struck and killed.

OPA's investigation concluded that the two officers who fired the shots violated the Seattle Police Department's (SPD) de-escalation policy because they did not engage in any planning or tactical discussions, and their actions undermined the critical principles of time, distance, and shielding. When they came into the path of Mr. Hayden with firearms drawn, this eliminated time, which the investigation report refers to as the most crucial factor of de-escalation. It says, “If there is more time, there is more opportunity to gain voluntarily compliance, build rapport with the individual in crisis, or call in more resources. Had there been more time, the threat would have been minimal, and they could have taken as long as needed to reach a peaceful resolution.” The officers also positioned their vehicle directly in the path of the subject and moved away from cover, both of which limited their options for responding.

While the investigation found that both officers failed to de-escalate, it did not conclude that they violated SPD's policy governing the use of deadly force. Rather, OPA opined that the employees were permitted to fire their weapons in defense after Mr. Hayden advanced toward one of them with his knife raised and pointed down. Citing to [another recent case](#) in which OPA found that SPD officers used inappropriate tactics and failed to de-escalate, OPA [re-issued a policy recommendation](#) purposed to prevent such tragic situations from reoccurring. The recommendation is focused on revamping the training—and even piloting a new less-lethal tool—for responding to individuals with knives.

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