



OPA is providing this recap of select case findings and policy recommendations to increase communication and transparency. Every two weeks, we will send out an email highlighting cases of significant officer interest, cases that contain information that may inform officers' day-to-day work, and pertinent policy recommendations. This email will be sent to individuals who have signed up to receive it.

2017OPA-0859: The Ice Axe Case

Incident Summary: An individual stole an ice axe and was walking down the street with it in his hand. Officers responded to the scene and ordered him to stop—he was non-compliant. The officers created a contact team (including a Taser-operator, lethal cover, and a hands-on officer) and began planning their approach as they followed him for several blocks at a safe distance. The subject was walking at a normal pace—he was not running or moving towards civilians. He waved the ice axe in the officers' general direction a couple of times, but did not attempt to strike them. The Named Employee (NE), who was not one of the original officers at the scene, arrived and, less than a minute later, rushed the subject from behind, placing him in a bear hug. Concerned for the NE's safety, another officer told the NE to stop and subsequently approached the subject, putting his gun to the subject's head and saying he would shoot. The subject dropped the ice axe and was placed under arrest.

OPA Findings: OPA determined the NE violated the de-escalation policy and acted contrary to training because he failed to engage in planning or discussion with fellow officers prior to rushing the subject and did not utilize de-escalation tools. In these types of scenarios, officers are trained to establish a less-lethal contact team in which the officers act at the direction of the less-lethal operator. Essential to this tactic is communication and teamwork. However, the NE did not allow his fellow officers to fully develop a plan, nor did he communicate his intentions to them. Instead, the NE used an untrained and risky tactic when there was no immediate threat and, by doing so, escalated a Type II application of force into a potential deadly force scenario. Ultimately, Chief Best disagreed with OPA's recommended sustained finding and issued this [letter](#) in explanation.

2017OPA-1327: Domestic Violence Investigations

Incident Summary: When responding to a possible DV incident, the NE did not perform all the required investigative tasks. The complainant also alleged that the NE was unprofessional and engaged in biased policing.

OPA Findings: OPA determined the allegations of bias and unprofessionalism were unfounded. While the failure to complete all the DV investigative tasks was technically contrary to policy, OPA issued a finding of Not Sustained-Training Referral for three reasons: 1) this was an example of a mistake rather than misconduct; 2) the NE took responsibility for her errors during her OPA interview; and 3) the NE told OPA she now uses a cheat sheet—which she has also shared with her colleagues—to ensure she satisfies the requirements for DV investigations in the future. OPA applauded the NE for her initiative and for learning from this incident.

Letter to Support Changes to Policy on Handcuffing Pain Complaints

By [letter](#), OPA indicated its support for modifications to the use of force policy that would no longer require a Type I force investigation for an allegation of pain from handcuffs unrelated to application. OPA's research showed that not only were complaints of pain from handcuffs a large proportion of all Type I uses of force, but that 87% were unrelated to the application of the handcuffs. Thanks to data provided by the FRU, OPA calculated that an average force investigation on handcuffing pain takes 2.85 hours. After multiplying that by the number of related complaints, OPA concluded that SPD supervisors have been spending a significant amount of time and effort on these investigations. OPA's letter conveyed these facts and the belief that this time should be spent on more essential law enforcement functions. This change has been incorporated into the updated version of the use of force policy, which will be rolled out to the Department soon.

If you have questions, feedback, content requests, or to add/remove your name from this distribution list, please contact either Andrew Myerberg, OPA Director, at andrew.myerberg-OPA@seattle.gov, or Anne Bettesworth, OPA Compliance, Policy, and Research Manager, at anne.bettesworth@seattle.gov.



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