



King County

King County Ombuds Office

REPORT OF INVESTIGATION AND RECOMMENDATIONS

Ombuds Case # 2024-0743

Respondent:

King County Department of Adult and Juvenile Detention

November 18, 2025

EXECUTIVE SUMMARY

In December 2024, the Office of Law Enforcement Oversight (OLEO) referred an anonymous complaint to the Ombuds Office regarding potential excessive force used by Department of Adult and Juvenile Detention (DAJD) officers during the booking of [REDACTED] [REDACTED] on November 10, 2024, into the King County Correctional Facility (KCCF). In addition to the referral from OLEO, in early 2025, Mr. [REDACTED] also made an excessive force complaint to the Ombuds Office regarding his booking on November 10, 2024.

The Ombuds Office investigated DAJD's use of force during booking,¹ requested and reviewed the Supervisor's Incident Report (SIR) for Incident Number 24-02418, DAJD officers' reports, King County Sheriff's Office (KCSO) reports, video recordings of the incident, and Mr. [REDACTED] booking, classification, and medical records. We also corresponded with Major Michael Taylor via email about the use of force incident and asked for additional information/clarification about any efforts to de-escalate the situation. While we carefully considered Major Taylor's explanation of the force used, based on our review of the available evidence as well as national, state, and local use of force standards, policies, and best practices, we have determined the allegation of excessive force to be supported by a preponderance of the evidence.

¹ Mr. [REDACTED] was also involved in a use of force incident during his arrest on November 10, 2024, which was reviewed separately by OLEO. Because it was already reviewed by OLEO, we only reviewed the use of force by DAJD officers at booking.

Accordingly, we conclude that it is more likely true than not that DAJD officers used excessive force in their efforts to control Mr. [REDACTED] on November 10, 2024, in the KCCF. We also identified concerning deficiencies and errors in DAJD's reporting of the force incident. Our full analysis is provided below.

Senior Deputy Ombuds Anna Endter conducted this investigation and produced this report with the assistance of Principal Deputy Ombuds Janna Lewis and oversight from Ombuds Director Jeremy Bell.

INVESTIGATIVE AUTHORITY

The Ombuds Office was created by the voters of King County in the County Home Rule Charter of 1968 and operates as an independent office within the legislative branch of King County government. The Ombuds Office is authorized by King County Code (KCC) Chapter 2.52 to investigate complaints regarding the administrative conduct of King County agencies. The purpose of these activities is to promote public confidence in King County government by responding to complaints in an impartial, efficient, and timely manner, and to contribute to the improved operation of county government by making recommendations based upon the results of complaint investigations.

Though not at issue in this matter, the Ombuds Office is further vested with jurisdiction and authority to investigate alleged violations of the County Whistleblower Protection Code, KCC Chapter 3.42; Employee Code of Ethics, KCC Chapter 3.04; and Lobbyist Disclosure Code, KCC Chapter 1.07.

STANDARD OF PROOF

The Ombuds Office makes findings based on a preponderance of the evidence standard of proof. A preponderance of the evidence means we are persuaded, considering all the available evidence, that the facts at issue are more likely true than not.

ALLEGATIONS

On November 10, 2024, Mr. [REDACTED] was arrested and transported to the KCCF to be booked into custody. While in the booking area at the KCCF, DAJD alleges Mr. [REDACTED] [REDACTED] became combative and DAJD officers and the arresting KCSO deputy used necessary force to subdue him.

Mr. [REDACTED] alleges that DAJD officers used excessive force on him. Mr. [REDACTED] [REDACTED] states that he is a "short man and they (DAJD officers) were big." Mr. [REDACTED] [REDACTED] also alleges that a DAJD officer "came from behind me and pushed me and threw me on the floor."

EVIDENCE

As part of our investigation, we reviewed documents and videos provided by DAJD, including the SIR for Incident Number 24-02418, DAJD officers' reports, video recordings of the incident, and Mr. [REDACTED] booking, classification, and medical records. We also reviewed KCSO reports for context only.

SUMMARY OF FACTS

According to the SIR, the King County employees involved in the November 10, 2024, use of force incident were Officer Kenneth Grant, Officer Joe Salcido, Officer Abraham Lopez, Officer Daniel Molina, and KCSO Deputy Kyle Mulligan (the arresting officer). The use of force incident was reported and/or reviewed by Corrections Supervisor Sergeant Felicia Davis, Captain Michael Allen, and Major Michael Taylor.²

On November 10, 2024, at approximately 0800 hours, the SIR states that Mr. [REDACTED] [REDACTED] who was in the process of being booked into the KCCF, was initially compliant, answering questions and following DAJD officers' directives. Because he was cooperative, a DAJD officer removed Mr. [REDACTED] handcuffs so that he could take off some articles of clothing at the booking counter. Mr. [REDACTED] continued complying with orders until Officer Lopez asked him to remove his belt, at which time Officer Lopez reported that Mr. [REDACTED] "ignored" him. Officer Lopez then "repeatedly told [REDACTED] to take his belt off and place it on the counter. [REDACTED] just stood there staring at me with an angry face."

The SIR further states that because Mr. [REDACTED] was ignoring the directive to remove his belt, Officer Lopez called Officer Salcido over to stand by for assistance. The videos of the encounter depict Officer Salcido moving swiftly from out of frame while placing gloves on his hands and positioning himself directly behind Mr. [REDACTED] back at the booking counter. The SIR also states that while Officer Salcido was coming over to assist, KCSO Deputy Mulligan informed Officer Lopez that they "had to fight" Mr. [REDACTED] during arrest. Officer Lopez then told Mr. [REDACTED] that if he did not follow their directives, he would be placed back into handcuffs and it would "turn into a compelled dress out." According to Officer Lopez, Mr. [REDACTED] then "put his hands behind his back and said 'handcuff.'" Other officer reports differ about whether Mr. [REDACTED] explicitly asked for handcuffs to be placed on him or whether he was silent, but the video

² According to the KCSO Report, Case #C24037862, Sergeant Laurence "Jake" Zimnisky also completed a use of force report and obtained a statement using the language line from Mr. [REDACTED] at the KCCF because KCSO Deputy Mulligan was involved in the application of force.

³ Quoted statements from DAJD staff are exact transcriptions and may include misspelled and/or incomplete surnames for Mr. [REDACTED]

entitled Prebook-20241110-075930 does show Mr. [REDACTED] with both hands placed on top of the booking counter before he then moves his hands behind his back, at approximately 03:25⁴. Once his hands are behind his back, Officer Salcido moves forward in what he reported was an attempt to handcuff Mr. [REDACTED] At the same time, Officer Lopez begins to pull out his handcuffs.⁵

Officer Lopez reports that Officer Salcido then attempted to handcuff Mr. [REDACTED] who, "pulled away and completely turned-on Officer Salcido." Officer Lopez continues to describe how the encounter unfolded: "at this point Officer Salcido and [REDACTED] are facing each other. Officer Salcido and [REDACTED] began to wrestle, and [REDACTED] was attempting to swing at Officer Salcido with a closed fist... [REDACTED] was kicking and trying to punch me, so I delivered two closed hammer fist punches. I was intending to hit [REDACTED] on the shoulder to gain control of his arm but due to [REDACTED] kicking and punching I hit him in the head. Officer Grant then used his Taser to dry stun [REDACTED]

Officer Salcido provides other details:

When I initially made contact and grabbed Subject [REDACTED] right hand to place the handcuff, I felt Subject [REDACTED] tense his arm and attempt to pull away not allowing me to place the handcuffs. This led me to push Subject [REDACTED] [REDACTED] to the counter to gain control but during this process Subject [REDACTED] [REDACTED] fully turned around and faced Officer Lopez and me in an agitated manner. This is when Subject [REDACTED] became uncooperative, which resulted in Officer Lopez and I attempting to bring Subject [REDACTED] to the ground. Officer Lopez and I struggled to get Subject [REDACTED] since he was actively resisting us and fighting us. The Burien PD officer who brought in Subject [REDACTED] assisted us with the take down. Officer Lopez and I lowered Subject [REDACTED] to the ground by using our strength to bring him to the ground by maintaining control of his upper extremities. Once on the ground, Subject [REDACTED] was actively swinging his arms trying to hit and kick us...Due to Subject [REDACTED] swinging his arms, I delivered two closed fist strikes to Subject [REDACTED] upper torso since he was actively fighting us...I delivered a knee strike targeting his shoulder for him to remove his arm from under him but was ineffective. Officer Grant used his taser and drive-stunned Subject [REDACTED]

⁴ 03:25 refers to 3 minutes, 25 seconds in the cited video. We use this format for all video citations included within this Report.

⁵ KCSO Deputy Mulligan reported that he was cleaning his handcuffs at this same time and the available videos corroborate this statement.

The videos provided by DAJD depict the events reported by Officers Lopez and Salcido differently. Specifically, in the video entitled Prebook-20241110-075930, at 03:26, Officer Salcido approaches Mr. [REDACTED] while putting gloves on and moves to grab Mr. [REDACTED] [REDACTED] arms as he appears to relax them. Officer Salcido then pushes Mr. [REDACTED] [REDACTED] into the booking counter. At approximately 03:45 in the same video, Officer Salcido appears to deliver four or five closed fist strikes, not two as reported in the SIR. Officer Salcido reports that these fist strikes, while aimed for Mr. [REDACTED] shoulder/torso, hit him in the head. Officer Salcido then follows these closed fist strikes at 03:54 with a knee strike to Mr. [REDACTED] head. In his report, Officer Salcido does not provide any details or explanation as to why his knee strike was “ineffective,” but he does describe it as being intended for Mr. [REDACTED] shoulder like his closed fist strikes. The video appears to show Officer Salcido aiming directly for Mr. [REDACTED] head with his knee strike. Medical attention was provided to Mr. [REDACTED] immediately after the use of force per DAJD policy.

In the SIR’s Summary of Findings, completed on January 22, 2025, more than two months after the November 2024 use of force incident, Captain Allen writes that “[REDACTED] (sic) was intoxicated and appeared not to follow the instructions given by both the arresting officer as well as DAJD staff...a reasonable and necessary amount of force was used to control [REDACTED] Officer “Lopez A delivered hammer strikes intended for the shoulder area of [REDACTED] but because [REDACTED] was actively resisting, the strikes made contact with the head/neck area.” Captain Allen also states that [REDACTED] was “released from custody before retrieving a statement from him” but no further details or explanation are provided about why a statement was not taken from Mr. [REDACTED] during the approximately four days that he remained in custody at the KCCF.

Likewise, on January 23, 2025, in the SIR’s Shift Commander Comments, Major Taylor writes that “Level two (2) strikes were applied in this incident due to [REDACTED] actively resisting staff both physically and verbally. Based on reports from staff involved, the strikes were intended for the shoulder area, but because of the level of resistance Mr. [REDACTED] [REDACTED] displayed, the strikes missed the targeted area.” Though not specifically delineated, both Officer Lopez and Officer Salcido report using closed fist strikes/punches that were intended for Mr. [REDACTED] shoulder, but all of them missed their intended target and instead hit him in the head and face while Mr. [REDACTED] was on the ground.

Separately from these comments, the SIR documents Mr. [REDACTED] resistance level as “Aggravated Aggressive.” Aggravated Aggressive is the most serious form of resistance a resident can display. Aggravated Aggressive is akin to attacking officers with a weapon, a

plan, or both with the intent to inflict deadly harm. In response to Aggravated Aggressive behavior, officers are authorized to use Level III defensive tactics, i.e., deadly force.⁶

Major Taylor also states that the “incident’s timeliness has been addressed with the sergeant and captain. It is noted that partly the timeliness can be explained by vacation taken by those involved and because this incident had been returned multiple times for additional action steps to be taken.” Major Taylor referred the matter to the Internal Investigations Unit (IIU) for follow-up with our Office, but not for investigation. We later confirmed with Captain Jennifer Schneider that IIU did not review this use of force.

While the SIR states that there were no reported or visible injuries to Mr. [REDACTED] it does include a check mark in the “yes” box for “hard impact head strikes.” The SIR also indicates that photos were taken after the use of force, but only of Mr. [REDACTED] face. These photos depict injuries to Mr. [REDACTED] face. DAJD’s Taser Policy requires that photos be taken of the contact area after a resident is tased. Form F-764, approved by DAJD leadership on February 2, 2025, almost three months after the use of force, documents the taser contact area as Mr. [REDACTED] right shoulder blade but notes that no photos were taken by DAJD staff. There is no explanation provided as to why this requirement was not satisfied.

Likewise, Mr. [REDACTED] medical record includes a nursing note from November 10, 2024 that documents the use of force at booking and states that he “[REDACTED] [REDACTED].” The same nurse’s note also indicates that Mr. [REDACTED] “[REDACTED]” and that he was “[REDACTED],” and exhibiting “[REDACTED].” Due to his behavior, Mr. [REDACTED] was assigned to [REDACTED] Housing and coded as “[REDACTED] ([REDACTED]).” However, because other details in the nursing note are redacted, we cannot determine if the report of bizarre behavior was due to being intoxicated, resulted from injuries sustained during the use of force, or was a combination of these and/or other factors. The same nurse provided Mr. [REDACTED] an ice pack for his facial injuries and ordered that ice packs be continued for the following 24 hours. A subsequent nursing note from the evening of November 10th states that he “[REDACTED]” and that “[REDACTED]” as well. By November 12th, Mr. [REDACTED] was still being offered ice packs but refused them.

Additional relevant facts are included in the sections below.

⁶ Criminal Justice Training Commission of Washington, Use of Force Block 1-3, Slide 9 (copy available upon request); DAJD Use of Force Continuum.

SUMMARY ANALYSES AND FINDINGS

Based on our review of all available evidence according to the preponderance of evidence standard, we conclude that it is more likely than not that the force used by DAJD officers on November 10, 2024 was excessive. Our analysis includes two parts: Part I analyzes each aspect of the force applied and documents our concerns about the type and amount of force used; and Part II reports errors and deficiencies in the documentation associated with the use of force incident.

Part I: Use of Force Analysis

A. DAJD General Policy Manual 4.03.014—Definitions and Guidelines for Use of Force

DAJD Policy 4.03.014 establishes departmental guidelines for use of force and the requirements for reporting and documenting each use of force. Policy 4.03.014 requires DAJD staff to only use force “that is reasonable and necessary under the circumstances.” Necessary force under this Policy means “[n]o reasonably effective alternative to the use of force appeared to exist and the amount of force used was reasonable to effect the lawful purpose intended.” Reasonableness means a “uniformed staff member in the same or similar circumstances could make the same decision.” The Policy further outlines the conditions under which “uniformed staff may...use force which is reasonable and necessary” and states that the purpose of force is “to overcome resistance and achieve compliance...”

The SIR states that the amount of force used was reasonable and necessary and documents Mr. [REDACTED] resistance level as “Aggravated Aggressive,” the most serious threat level that a DAJD resident can display⁷. The SIR describes Mr. [REDACTED] [REDACTED] continuum of behavior from initial compliance to passive refusal to remove his belt, alleged tensing of his arm, and then “fighting” officers after being pushed by Officer Salcido into the booking counter. In documenting Mr. [REDACTED] resistance level as Aggravated Aggressive, we can only infer that DAJD officers believed his behavior was so serious that it could have resulted in their great bodily harm or death.

We find that, based on a thorough review of all the available evidence, it is more likely than not that it was Officer Salcido’s initiation of force by shoving Mr. [REDACTED] into the counter, not [REDACTED] apparent passive resistance preceding the push, that was the catalyst for the encounter. Once physical contact was initiated it quickly escalated into a

⁷ Criminal Justice Training Commission of Washington, Use of Force Block 1-3, Slide 9 (copy available upon request); DAJD Use of Force Continuum.

serious force incident that included five officers, multiple closed fist strikes to the head, a knee kick to the head, a drive stun taser, and resulting injuries to Mr. [REDACTED] face. Each of these aspects of the use of force are discussed in turn below.

Push by Officer Salcido

In our review, we observed that DAJD officer reports do not fully align with videos of the encounter. Prior to Officer Salcido's push, Mr. [REDACTED] appears to be passively resisting orders when he places his hands on the booking counter and does not remove his belt. Mr. [REDACTED] then puts his hands behind his back to be handcuffed. Officer reports describe his behavior immediately preceding this as "not listening" and "beginning to stare." Some reports describe him as seeming to be intoxicated. While Officer Salcido's report states that [REDACTED] fully turned around and became uncooperative, the videos show Officer Salcido initiating force by pushing Mr. [REDACTED] into the counter and then wrestling with [REDACTED] when he starts to turn around. We find that the videos do not depict Mr. [REDACTED] fully turning around and becoming uncooperative. The videos are inconclusive as to whether Mr. [REDACTED] tensed his arm but even if he did, we do not conclude that it was reasonable to initiate force by pushing Mr. [REDACTED] thereby escalating the encounter, rather than attempting de-escalation or a lower-level control tactic.

Further, according to the booking packet, Mr. [REDACTED] is 5 feet, 2 inches tall, and approximately 125 pounds. Videos of the incident show that when Mr. [REDACTED] was standing and facing the booking counter, the counter itself was about the height of his neck, and he is of smaller stature than any of the DAJD officers involved in the use of force⁸. At one point during the force incident, there were five officers on top of, and attempting to assist in, subduing and handcuffing Mr. [REDACTED] While the SIR documents Mr. [REDACTED] resistance as Aggravated Aggressive, and officer reports indicate that Mr. [REDACTED] was swinging his arms and legs and actively trying to kick and punch them, these actions cannot be discerned from the videos given the number of officers involved and how quickly the encounter escalates from Officer Salcido's push to a takedown that evolves to include several hard impact head strikes and use of a taser. The videos, however, do show Mr. [REDACTED] flailing and attempting to shield his face with at least one hand while being taken to the ground. We cannot discern, nor does the SIR report, what other actions by Mr. [REDACTED] demonstrated to DAJD officers that he had the immediate plan,

⁸ According to the Washington State Office of the Attorney General, Model Use of Force Policy, Page 6, "reasonable care" means that the officer shall "[c]onsider the characteristics and conditions of a person for the purposes of determining whether to use physical force or deadly force against that person and, if physical force is necessary, determine the appropriate and least amount of physical force possible to effect a lawful purpose."

means and ability to inflict lethal injuries on them such that his level of resistance was “Aggravated Aggressive”, and the resulting level of force used against him was necessary and reasonable.

Closed Fist Strikes and Knee Kick to the Head/Face

The SIR further states that Officer Lopez’s and Officer Salcido’s closed fist strikes were intended for Mr. [REDACTED] shoulders/upper torso but that they instead hit his head and face because he was struggling with officers, in an apparent justification for this specific use of force. Officer Salcido also applied a knee kick that he reported was intended for Mr. [REDACTED] shoulder but was “ineffective,” and in the videos, Officer Salcido appears to knee kick Mr. [REDACTED] in the face/head while Mr. [REDACTED] is on the ground. Mr. [REDACTED] medical records and DAJD photographs taken after the use of force indicate that he sustained facial injuries during the force incident.

The fact that Mr. [REDACTED] sustained hard impact head strikes from closed fist strikes and a knee kick to the head while on the ground, even if unintended, elevated the type of force used to a potentially lethal level given the risk of serious injury or death.⁹ It is not clear from Officer Salcido’s report what lawful purpose he was intending to achieve by punching Mr. [REDACTED] in the head at least four times, not two as he reported, and then following up with an “ineffective” knee strike to the head. After the knee strike, Officer Grant deployed a taser set on drive-stun to Mr. [REDACTED] right shoulder area. Per DAJD Policy, drive-stun is primarily a pain compliance technique and not intended to cause incapacitation. The SIR does not explain why, if DAJD officers were afraid for their lives, a pain compliance technique was used rather than one that could incapacitate Mr. [REDACTED] [REDACTED] immediately and end the encounter (i.e., a taser in probe mode).

Taser Use

Policy 4.03.018 establishes guidelines for the use of tasers by DAJD officers, and mandates that tasers also be used in accordance with Policy 4.03.014, Use of Force. Like 4.03.014, the use of a taser must be “necessary.” Necessary as defined in this Policy, however,

⁹ American Bar Association, Standards for Criminal Justice, Treatment of Prisoners, Standard 23-5.6 Use of Force, Section (d) Page 132, states that a “correctional agency should implement reasonable policies and procedures governing staff use of force against prisoners; these policies should establish a range of force options and explicitly prohibit the use of premature, unnecessary, or excessive force. Control techniques should be intended to minimize injuries to both prisoners and staff. Except in highly unusual circumstances in which a prisoner poses an imminent threat of serious bodily harm, staff should not use types of force that carry a high risk of injury, such as punches, kicks, or strikes to the head, neck, face, or groin.” Available at: treatment_of_prisoners.pdf. See also, When a Cop Throws a Punch to the Face: “A blow of sufficient force with any personal body weapon to a head/face could result in serious bodily injury or could be fatal.” Available at: When_a_cop_throws_a_punch_to_the_face.

includes an additional aspect of proportionality. Necessary means “a reasonably effective alternative to the use of physical force or deadly force does not appear to exist, and the type and amount of physical force or deadly force used is a reasonable and proportional response to effect the lawful purpose intended or to protect against the threat posed to the officer or others.”

Policy 4.03.018(A)(4) states that a “taser should only be used as a last resort to induce compliance or restore order.” Further, Policy 4.03.018(A)(6)(a) states that a taser “should generally not be used: On a handcuffed or waist restrained inmate.” Officer Grant’s report states the following:

Officer Lopez, Salcido delivered hammer strikes to the arms and shoulder area, Mr. [REDACTED] stopped swinging his arms and legs, Officer Lopez, Salcido and I were able to push Mr. [REDACTED] to his stomach where he immediately pulled his arms under his body. With his legs secured by the arresting officer, Officer Lopez and Salcido were still struggling to get control of Mr. [REDACTED] arms. I pulled my Taser and gave directives to Mr. [REDACTED] to give up his arms and put them behind his back or he would be Tazed (sic). Mr. [REDACTED] continued to try and roll to his side again pulling his arms away from Officer Lopez and Salcido. I again directed Mr. [REDACTED] to stop resisting, and to put his arms out to the side. Officer Lopez was able to get control of Mr. [REDACTED] left arm and moved it behind Mr. [REDACTED] back and secured the left wrist in handcuffs. Mr. [REDACTED] would not give up his right arm to Officer Lopez, he instead pulled away and tried to roll on his side again. I turned on the Tazer (sic) and touched it to his back at the bottom of his right shoulder blade. I activated the ARC switch and drive stunned Mr. [REDACTED] for approximately 1 second. Mr. [REDACTED] yelled and moved his right arm out from under his body.

Officer Lopez reports that Mr. [REDACTED] left arm was handcuffed and his legs were secured by the KCSO deputy when the taser was deployed. The SIR also states that the taser was applied to Mr. [REDACTED] because he was refusing to give up his right arm and was fighting officers. When the taser was deployed, Mr. [REDACTED] was on his stomach on the ground, his left arm was handcuffed, and his legs were immobilized. The SIR does not explain why deploying the taser was a necessary and appropriate “last resort” to gain control of a partially handcuffed and restrained resident as DAJD Policy would generally preclude such use of force. We conclude that is possible that other, less severe tactics/force could have been attempted rather than implementing a pain compliance technique on a resident who was at least partially restrained.

As described previously, necessity and proportionality are factors that must be assessed in a use of force review that includes the application of a taser. Based on our review of all available evidence, including officer reports and videos, we find that the taser response was not proportional or necessary given the apparent threat level that Mr. [REDACTED] displayed at that moment. Even if Mr. [REDACTED] was fighting back as described by DAJD officers, we do not believe that he posed such an imminent threat of harm to the five officers involved that tasing him was a reasonable and proportional response that was necessary to gain control of one arm in order to finish applying handcuffs.

We also emphasize that while this Policy (and DAJD's Use of Force Continuum) allows for a taser to be used in drive stun mode as a pain compliance technique, best practices prohibit such use. For example, according to the Washington State Office of the Attorney General Use of Force Policy, Electronic Control Weapons, (3)(e) Standards of Use, "Officers should be aware that the primary use of an ECW is not as a pain compliance tool. Drive-stun mode should only be used when necessary to complete the incapacitation circuit where only one probe has attached to the person, where both probes attached in close proximity, or when no other less lethal options are available and appropriate."¹⁰ Similarly, the American Bar Association Standards for Criminal Justice, Treatment of Prisoners, Standard 23-5.8(a)(v), Use of chemical agents, electronic weaponry, and canines, likewise counsels corrections administrators to "forbid the use of electronic weaponry in drive-stun or direct contact mode."¹¹ Further, it is the Ombuds Office's understanding, from a presentation by DAJD "use of force" training officers on October 7, 2025, that drive stun mode is viewed as a less preferred mode and that typically probe mode is used to subdue a resident when tasers are deployed.

Use of Force Conclusion

The DAJD officers' reports should have triggered a more thorough review by DAJD leadership. Key areas requiring additional scrutiny include the reasonableness and proportionality of the force used against Mr. [REDACTED] beginning with Officer Salcido's initiation of force by pushing him. SIR Section G, Use of Force Information contains boxes for documenting that hard impact head strikes have been used and the "yes" box is checked. The SIR, however, was delayed more than two months "by vacation taken by those involved and because this incident had been returned multiple times for additional action steps to be taken." It appears that there was no further leadership review.

¹⁰ Washington State Office of the Attorney General Use of Force Policy, Electronic Control Weapons, (3)(e) Standards of Use, Page 12, available at: [UOF Model Policies_070122_FINAL_0.pdf](#).

¹¹ American Bar Association, Standards for Criminal Justice, Treatment of Prisoners, Standard 23-5.8 Use of chemical agents, electronic weaponry, and canines, Page 139, available at: [treatment_of_prisoners.pdf](#).

In addition to the delay, the SIR omits other required information, as detailed more fully in Part II below.

As stated previously, necessary force means no reasonably effective alternative to the use of force appeared to exist and the amount of force used was reasonable (i.e., an officer in similar circumstances could make the same decision) to effect the lawful purpose intended. We do not believe that the level of force used was necessary to subdue Mr. [REDACTED] [REDACTED] nor do we conclude that no other alternative existed when Officer Salcido shoved Mr. [REDACTED] into the booking counter¹². We are not suggesting that the number of DAJD officers involved is excessive, but that the overall response and the amount of force used was not reasonable or proportional given the level of passive resistance that Mr. [REDACTED] displayed before he was shoved, and his apparent overall threat level to officers as shown on the videos and documented in the SIR. While we have already noted that Mr. [REDACTED] resistance level was documented as Aggravated Aggressive, we do not believe that the facts as presented support a determination that his behavior was so serious that it could have resulted in officers' great bodily harm or death.

Further, Officer Salcido's push seemed to initiate a physical altercation rather than de-escalate the situation. Once the push occurred, the encounter escalated quickly and officers scrambled to subdue Mr. [REDACTED] We recognize that Mr. [REDACTED] appeared to become at least somewhat physically reactive once he was pushed. This fact, however, should be weighed in the context of Mr. [REDACTED] being outnumbered, unarmed, and physically smaller than any of the five officers engaged in subduing him. Given the severity of the force used, we cannot infer that it was a reasonable and proportional response given Mr. [REDACTED] apparent low level of resistance and seeming inability to inflict lethal injuries on officers.

B. DAJD General Policy Manual 4.03.014(C)

Policy 4.03.014(C)(1)(d)(5)(a) requires use of force reports to include a "detailed description of the facts and circumstances of the incident, including...[e]fforts to temper the severity of the use of force, including, as appropriate: (a) Verbal de-escalation."

¹² The Washington State Office of the Attorney General Model Use of Force Policy, page 7 is instructive on this point: "Determining whether physical force is reasonable includes assessing whether the officer made tactical decisions to minimize unnecessary risk to themselves and others, used all available and appropriate de-escalation tactics when possible prior to using physical force and exercised reasonable care when using physical force."

It is not clear from DAJD officer reports if verbal de-escalation efforts were employed other than warning Mr. [REDACTED] that he would be placed back in handcuffs if he did not remove his belt, which he apparently consented to by putting his arms behind his back. Major Taylor's written response describes Mr. [REDACTED] actions as "baiting" DAJD officers but he provides no further details or explanation about specific actions by Mr. [REDACTED]. [REDACTED] does not constitute "baiting", nor does Major Taylor explain what specific behavior justifies this type of force in response to "baiting."

DAJD officer reports are likewise inconsistent about whether Mr. [REDACTED] asked for handcuffs or if he passively agreed to them. The SIR also references verbal and physical resistance, but as just noted, officer reports are inconsistent about whether Mr. [REDACTED] [REDACTED] made any verbal statements that could be considered resistive. The SIR does not explain why verbal de-escalation would have been inappropriate at this point, or what caused DAJD officers to rush the timeline into use of force as opposed to slowing down the interaction with Mr. [REDACTED]. In any event, the SIR is consistent that Mr. [REDACTED] [REDACTED] was complying with officer directives until he was asked to remove his belt.

We also recognize that there could have been communication challenges¹³ with Mr. [REDACTED] [REDACTED] that affected his ability to comply with DAJD officer orders. The KCSO reports from November 10, 2024 describe the use of the "language line" to communicate with Mr. [REDACTED] during arrest and while being interviewed by a KCSO Sergeant after the use of force incident. We can only infer that that the language line was used because it was unclear if Mr. [REDACTED] spoke English, or the extent to which he could communicate in English (i.e., whether there was limited English proficiency).

DAJD General Policy Manual Chapter 7, Inmate Services, 7.08.001, Interpreter Service ("Policy 7.08.001") states that "[i]t is the policy of DAJD that all inmates shall be given access to an interpreter or interpreter service to answer questions that arise during their period of incarceration." Policy 7.08.001(1) further states that "[u]pon booking, the Pre Book Officer shall try to determine the arrestee's language." Policy 7.08.001(4), at the discretion of the ITR Sergeant, also allows for the use of the "language bank," seemingly at any point during incarceration, and including at booking.

We reviewed Mr. [REDACTED] booking packet and classification history but we cannot discern if the pre-book officer tried to determine his primary language. The SIR does not contain details about his proficiency with English (or any other language) or whether the officers had difficulty communicating with Mr. [REDACTED]. Likewise, the SIR does not

¹³ If an interpreter wasn't needed in this situation because a DAJD officer could communicate effectively with Mr. [REDACTED] in Spanish, for example, we suggest noting this in future SIRs, i.e., that a bilingual officer was present and assisted with communication between DAJD staff and the resident.

include details about whether DAJD personnel involved in the force incident attempted to ensure that Mr. [REDACTED] understood English well enough to comply with their commands and directives or employed the language line to assist with their communications during booking. As already noted, the KCSO used the language line. Using the language line could have ameliorated the nature and severity of the encounter between Mr. [REDACTED] and DAJD officers, potentially assisting in de-escalating the situation and the resulting level of force used.

Part II: SIR Documentation

C. DAJD General Policy Manual 4.03.014(C)(3)(d)(1)

Policy 4.03.014(C)(3)(d)(1) states that the “Shift Commander or designee shall: (1) Interview or obtain statements from the inmate...The Shift Commander or designee may determine the most effective means for obtaining statements of the involved inmate...and (2) Follow up on relevant information learned from the inmate or witnesses.”

The SIR states that Mr. [REDACTED] statement was not taken despite him remaining custody at the KCCF until November 14, 2024, approximately four days after the use of force incident. KCSO Sergeant Zimnisky, however, with assistance from the language line, took a statement from [REDACTED] at the KCCF on November 10, 2024, the same day that the force occurred. It is unclear to our Office if the timeliness issue documented by Major Taylor in the SIR explains the lack of compliance with 4.03.014(C)(3)(d)(1), and why no statement was taken from Mr. [REDACTED]. There are no additional details or explanation in the SIR about why his statement was not taken. We find that given the amount of force used and Mr. [REDACTED] documented facial injuries, DAJD leadership should have complied with 4.03.014(C)(3)(d)(1) and ensured that a statement was obtained while Mr. [REDACTED] was in custody. Indeed, Mr. [REDACTED] has been back in custody at the MRJC since February 6, 2025, and remains there as of the date of this report. Presumably, DAJD staff could have attempted to take his statement about what occurred on November 10, 2024 at any time during his current period of incarceration.

Further, KCSO Sergeant Zimnisky’s November 10, 2024 use of force report states that Mr. [REDACTED] had bruising on his face: “[REDACTED] was involved in another reportable use of force at the KCJ. I interviewed [REDACTED] using the language line and BWC. I photographed [REDACTED] noting he had bruising on his face which I photographed.” Full and complete documentation by DAJD staff--including an interview of Mr. [REDACTED] as required by DAJD policy--could have assisted in determining the nature and severity of his injuries. Again, DAJD staff delay in completing the report may have contributed to this ambiguity. We do acknowledge DAJD’s compliance with the

requirement to take photos of his facial injuries and have reviewed those as well. We conclude, however, this failure complicates the reasonableness analysis because a critical piece of evidence was not obtained as required by DAJD policy.

D. DAJD General Policy Manual 4.03.018

Policy 4.03.018 governs the use of tasers and requires the same reporting, investigation, review, and Jail Health Services response as does Policy 4.03.014. Further, according to 4.03.018(A)(11), documentation must “clearly articulate the justification for each individual application of the taser...The duty sergeant shall compile, complete and forward all reports to the shift commander, prior to the end of their shift which will include: a Rule Infraction Report, Officer Report, Supervisor’s Incident Report and a Taser...Report (F-764).”

While the F-764 form for this incident is dated November 10, 2024, Reviewing Sergeant Davis apparently did not sign off on it until December 7, 2024, nearly a month later. Captain Allen and Major Taylor both approved the F-764 on February 2, 2025, almost three months after the force incident, and after the Ombuds Office requested a copy of the form.

As noted previously, the SIR for the November 10, 2024 use of force was also delayed, until the end of January 2025. While officer reports in the SIR document Officer Grant’s use of a taser in drive stun mode on Mr. [REDACTED] shoulder, neither Captain Allen nor Major Taylor mention the taser use in their comments/findings. It is unclear to our Office whether Policy 4.03.018(A)(11) requires DAJD leadership to specifically address and justify the use of a taser in a force report. However, to ensure that reporting is complete, and that force is explained in detail as required by the Policy, we recommend requiring that every level of review include an explanation/analysis of taser use and how that use was reasonable and proportional to the threat imposed.

Further, 4.03.018(C)(9) states that “[p]hotographs of the contact area shall be taken.” Shall is generally understood to mean that something is mandatory or required¹⁴. On the Form F-764 for this use of force incident, however, the box for photographs taken is marked “no.” There are no further details or explanation as to why photos were not taken as required by the Policy. We do not know if the SIR’s delay contributed to this specific lack of documentation and compliance with this Policy. Given Mr. [REDACTED] injuries and the overall severity of the force used, and the possibility that he was further injured by the application of the taser, we conclude that photo documentation following the incident was an important and required procedural element.

¹⁴ King County Sheriff’s Office, General Policy Manual, Glossary, definition of “shall.”

E. DAJD General Policy Manual 4.03.011

According to Policy 4.03.011, the Force Review Committee (“FRC”)’s purpose is to review “whether force is used, reported, and managed in accordance with laws and departmental policies and procedures.”

To that end, 4.03.011 mandates certain types of required reviews, including force incidents involving hard impact head strikes. Reviews “conducted by the FRC shall include, at a minimum, assessing the decision by every involved officer to use force, and the amount and type of force used by every involved officer.” The SIR contains a check box under Referrals for the FRC, which is not checked in this case.

Given the mandatory language of 4.03.011, we find that the use of force incident involving Mr. [REDACTED] did include hard impact head strikes and should have been reviewed by the FRC as required.

CONCLUSION

Based on our review of all available evidence, we find that it is more likely than not that the force used by DAJD officers against Mr. [REDACTED] on November 10, 2024, was excessive. In addition, we identified multiple reporting errors and failures to follow DAJD Policies.

We recognize that DAJD officers are often tasked with split second decisions about whether force is appropriate and if so, how much force to employ. We appreciate the difficulties that can arise in situations with DAJD residents whose behavior can be unpredictable. However, this must be balanced with the specific limitations placed on DAJD officers’ behavior via local, state, and federal laws and best practices regarding the use of force. As explained in our analysis, we conclude that the force used against Mr. [REDACTED] did not meet these standards and was excessive.

RECOMMENDATIONS

- 1. Use of Force Reporting.** Use of Force reports must: be timely and complete¹⁵; and include DAJD residents’ interviews with appropriate interpretation/facilitation resources. Per DAJD Policy 7.08.001, document all efforts made to obtain residents’ statements, document¹⁶ use of tasers if and when deployed, and ensure compliance with Policy 4.03.011 regarding the Force Review Committee, referring qualifying cases as required.

¹⁵ DAJD staff absences and vacations should not be an exception to this requirement.

¹⁶ Including photos.

2. **Taser Policy and Reporting.** Ensure compliance with DAJD Policy 4.03.018 by: requiring DAJD leadership to review every taser deployment and adding a taser-specific reporting checkbox under, “Did the Incident Involve” section¹⁷, and including photos of the contact area as required. Revise Policy 4.03.018 to prohibit the use of a taser in drive stun mode as a pain compliance technique to align with policies of other jurisdictions and best practices.
3. **Use of Force Clarification.** Per DAJD Policies 4.03.014 and 4.03.018, respectively, clarify when it is appropriate to deploy a taser when applying force on a partially and/or completely handcuffed resident. Similarly, specifically describe the circumstances under which closed-fist shoulder and head strikes, and knee kicks are permitted and an appropriate use of force on a partially and/or completely handcuffed resident.
4. **Training.** Provide additional and regularly occurring training for DAJD officers regarding de-escalation tactics, and lower-level force options. We do not believe that the current DAJD standard of four hours per year is adequate to ensure compliance with DAJD policy and legal standards regarding the use of force.

¹⁷ Similar to the “Hard impact headstrikes” checkbox.



King County
Department of Adult
and Juvenile Detention
Allen Nance, Director

MEMORANDUM

December 16, 2025

TO: Jeremy Bell, Director, King County Ombud's Office
FR: Allen Nance, Director, DAJD DS
LN
RE: Ombud's Office Report # 2024-0743

On November 18, 2025, the King County Ombud's Office issued a report concerning a King County Department of Adult and Juvenile Detention (DAJD) use of force that occurred on November 10, 2024. That event was documented under DAJD Supervisor's Incident Report (SIR) #24-02418. The resident involved in the use of force later made a complaint to the Ombud's Office stating that he believed excessive force had been used during his booking, specifically when he was being processed at the Pre-Book counter. The Ombud's Office requested documents concerning the use of force, DAJD IIU sent the Ombud's Office the relevant reports and had numerous email exchanges to get them all the requested documents between January 27, 2025, and February 19, 2025.

After reviewing written reports, viewing the Pre-Book video, and corresponding with the Facility Major via email, the Ombud's Office stated that they "concluded that it is more likely than not that DAJD officers used excessive force in their efforts to control Mr. [REDACTED] [REDACTED] on November 10, 2024, in the KCCF". The report stated, "based on our review of the available evidence as well as national, state, and local use of force standards, policies and best practices we have determined the allegation of excessive force to be supported by a preponderance of the evidence". The report does not indicate that DAJD's Use of Force policy, interviews of the participating staff, or interviews of the DAJD Defensive Tactics instructors were used to assist in determining findings. Later in the Ombud's Office report it referred to the DAJD Use of Force policy, so there is evidence that that the policy was available to reference. The current Use of Force policy which was in effect at the time of this incident was reviewed by the Policy Review Committee, King County Prosecuting Attorney's Office, and a DAJD Master Defensive Tactics Instructor for legal compliance. The incident in question was reviewed by a Sergeant, a Captain and Major who opined that the force level was reasonable and necessary as a response to the level of resistance from the resident. The incident in question was also reviewed by the DAJD Force Review Committee which consisted of the Deputy Director, two Facility

Commanders, and a master Defensive Tactics instructor. A Force Review entry was created on February 11, 2025, for this event when it was reviewed by the Force Review Committee. The Force Review Committee did not refer the incident to the Internal Investigations Unit (IIU).

There were four Officer's Reports generated for this use of force, all were written on the day of the event. The SIR also contains a Supervisor's Narrative, Shift Commander's comments, and Major's comments as well as a video link for the event.

The report indicates that the investigative standard used is a 'preponderance of evidence'. When DAJD IIU investigates events, the 'clear and convincing evidence' standard is used when determining findings that may result in discipline that would deprive employees of 'property rights' such as termination, suspension or stigmatizing information.

The Ombud's Office's report used several citations that don't apply to DAJD/corrections. The Washington State Attorney General's Office Model Use of Force policy is used extensively as a model for DAJD's Use of Force policy, but the State's policy is not a requirement for correctional facilities. The report cites a force standard that does not apply to correctional settings to make a finding about 'unnecessary force' in a correctional setting. It is unclear whether DAJD's Use of Force policy was used for guidance. DAJD's policy has been approved by the King County Prosecuting Attorney's Office for their determination.

The report did not consider camera angles for assertions that the officer "stood directly behind the resident" and "we find that the videos do not depict Mr. [REDACTED] fully turning around" (emphasis added). The Ombud's Office disputes that the resident pulled away from staff and turned toward staff prior to one of the officers using a push/pull defensive tactics technique to attempt to control the resident against the pre-book counter. Securing the resident against a wall or counter is a common technique used in unanticipated use of force incidents. The events at the pre-book counter where the officer touches the resident to place him in handcuffs and when the officers and resident go to the ground is less than three seconds. There is no audio accompanying the facility video. There is nothing in the video that contradicts the submitted reports. There is no clear and convincing evidence that the submitted reports are inaccurate. In fact, the video supports the general narrative of all the submitted reports. The Ombud's Office's interpretation of what is 'reasonable and necessary' is in dispute. Graham vs. Conner established that "a use of force must be judged from the perspective of a reasonable officer on the scene, rather than with hindsight". The U.S. Department of Justice Policy on Use of Force states in part when speaking about Graham: "the calculus of reasonableness must embody allowance for the fact that police officers (and corrections officers) are often forced to make split second judgements - in circumstances that are tense, uncertain, and rapidly evolving - about the amount of force that is necessary in a particular situation". The officer reports state that the resident was "pulling away" and turned toward the officer. The Burien Police Department officer had just told the DAJD officer that the resident had "fought" during his arrest. It is reasonable for that officer to think, in the moment, that

he was about to be struck by the resident. The officer then used reasonable and necessary force to attempt to control the resident based on the facts that he had at the time.

While writing the Supervisor's Incident Report (SIR) the sergeant did select 'Aggravated Aggressive" instead of 'Active Aggressive'. This box is checked on the SIR well after the Use of Force event. While the documentation may be in error the level of force used by officers was proportional to the level of resistance by the resident at the time of the Use of Force. The officers were not using "deadly force" in response to 'Aggravated Aggressive' resistance as implied by the report. The resident did strike and kicked the officers which is Active Aggressive. A proportionate response to Active Aggressive resistance is level 2 response. The resident was striking at officers while resisting being placed in handcuffs. In order to control the resident and place him in handcuffs officers used level 2 strikes directed at the resident's arms and torso. Due to the residents' resistance and active movement, some of the strikes did not impact on the intended target areas. The stated intent of the officer who used two hammer fist strikes was to strike the resident in the "shoulder to gain control of his arm", because of the struggle the strikes inadvertently struck the resident in the head.

The Burien Police Department (KCSO contract agency) report reflects that (DAJD) officers were "struggling to keep [REDACTED] (sic) controlled". The Burien Police Department deputy was so concerned with the resident's physical resistance that he assisted DAJD staff.

The report regarding the use of a taser states "we conclude that is (sic) possible that other, less severe tactics/force could have been attempted rather than implementing a pain compliance technique on a resident who was at least partially restrained". Taser drive stun is a level 1 technique. "Partially restrained" is not fully restrained and the resident was fighting all the way up until he was **fully** in handcuffs. The report further states "we find that the taser response was not proportional or necessary given the apparent threat level that Mr. [REDACTED] displayed at the moment". Again, Taser drive stun is Level 1 because no probes are deployed, it is commensurate with counter joint techniques. The resident was striking officers which is a level 2 resistance level. The officers' techniques up to that point had been unsuccessful in placing the resident into handcuffs. The officer who deployed the taser in drive stun mode stated in his report that the other officers were still unable to get the resident's second hand into handcuffs. The taser was deployed for one second per the taser information report. The one second taser drive stun deployment to the resident's free arm shoulder was successful in getting the resident to comply with directives to be handcuffed. The drive stun application made additional use of force techniques unnecessary. The DAJD Taser policy has been vetted by the King County Prosecuting Attorney's Office and in this case the policy was followed by the officer deploying the taser. The report cites two references that are not applicable to justify their assertion that the force (specifically the taser deployment in drive stun mode) was "unnecessary". The report then says they attended a DAJD "Use of Force" training where they state DAJD trained that "drive stun mode is viewed as 'less preferred' mode". DAJD currently teaches that the drive stun mode **can** be used per the training that Ombud's Office observed. After speaking with two senior Taser instructors, the report

indicated that drive stun taser mode is allowed per policy, but it is 'less desired' because it is less effective. The report also uses citations from the [REDACTED] Bar Association and a 'Police One' magazine article, these are not regulatory bodies for Use of Force in the State of Washington.

The report states "the DAJD officer's reports should have triggered a more thorough review by DAJD leadership". The incident was sent to the Force Review Committee. The Force Review Committee returned no findings for excessive force or a referral to IIU. There was a typographical error on the SIR report that seemed to indicate that the incident was not referred to the Force Review Committee, but the action step was completed and in this case the incident was referred.

The report states that resident [REDACTED] was "passive". He was not passive, as soon as the officer tried to place him in handcuffs the resident pulled away. The resident then began to actively fight with officers until he was fully placed in handcuffs. As soon as the resident was under control the officers stopped their force response and sought medical attention for the resident. Although the later written report does state 'Aggravated Aggressive' which is an error, resident [REDACTED] was 'Active Aggressive", and a level 2 response is applicable in that circumstance.

This was an unanticipated use of force. Once the resident turns to confront the officer's de-escalation is no longer an option. The report states several times that the resident was "pushed" or "shoved" this is an opinion. The 'push/pull' technique is a Defensive Tactics technique that has long been taught to lead into another Defensive Tactic technique. As the officer moves to place the resident into handcuffs, the resident pulls away and starts to turn toward officers with his left hand and arm at shoulder level. An officer is not required to be physically touched or assaulted before using tactics to restrain an individual.

The report states "Full and complete documentation by DAJD staff—including an interview of Mr. [REDACTED] as required by DAJD policy—could have assisted in determining the nature and severity of his injuries". The "nature and severity" of any injuries was assessed by Jail Health Staff (JHS) who saw the resident immediately following the use of force and again before he was moved to housing. Per JHS the severity of the injury was treated with ice.

The report alleges that photos were not taken of the resident post incident. Although there were no photos of the taser drive stun area, photos **were** taken of the resident's injury and placed in AXON for review.

The report recommended "regularly occurring training for DAJD officers regarding de-escalation tactics, and lower-level force options". They state in their conclusion that "they do not believe that the current DAJD standard of four hours per year of (Defensive Tactics training) is sufficient. In addition to a four-hour in-person Defensive Tactics class, DAJD also has separate in-person Crisis Intervention training which covers de-escalation and regularly conducts tactics training on shifts all year long.

Three of the points the report seems to focus on include technical errors with paperwork where the actual action steps were completed. DAJD staff could have provided the Ombud's Office with clarification and resolution to any questions regarding the documentation and the actions taken by the staff, if such an inquiry had been made. DAJD agrees that a better internal review of the incident report could have resolved some of the confusion concerning documentation issues prior to the Ombud's Office review but the assertion that document errors constitute evidence to establish an excessive force claim is not reasonable. Further the assessment that the force was not "reasonable and necessary" and thus "excessive" does not align with Graham Vs. Conner which is the general standard for assessments of Use of Force.

Following the report and briefing with me and Deputy Director Larsen and considering the concerns raised by the report, I instructed the DAJD Internal Investigations Unit to open a case to review the Use of Force in question. The Internal Investigations case is currently pending review and has not yet been concluded.

Cc: Anna Endter, Senior Deputy Ombuds
Steve Larsen, Deputy Director, DAJD
Captain Jennifer Schneider, IIU Commander, DAJD