

# The Seattle Times

## Project Homeless

### A Seattle man began the night in crisis. Then, a sudden death in restraint

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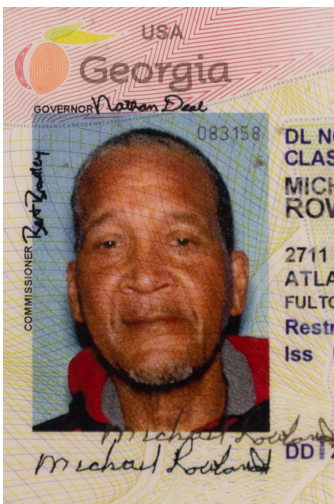




Photo captions, left to right, top to bottom:

Robin Rowland holds the remains of his brother Michael, who died after being restrained in the King County Jail in April. (Erika Schultz / The Seattle Times)

Michael Rowland spent most of his adult life in Seattle. Here, he sat for a portrait in the 1990s. (Courtesy of the Rowland family)

In his 2016 Georgia driver's license photo, Michael Rowland "looked like a broken man," said his mother, Joyce Rowland. (Courtesy of the Rowland family)

Joyce Roland said it was heartbreaking for her brother-in-law to die in a Seattle jail in April, and that his death might have been prevented if he had been taken to a hospital. (Erika Schultz / The Seattle Times)

Brothers Ricky Tatum and Michael Rowland pose for a snapshot in Riverside, California, in 1978. (Photo Courtesy of Robin Rowland.)

Joyce Roland and brother-in-law Michael Rowland are photographed in November 2003 in Atlanta. (Photo Courtesy of Joyce Roland)

Michael Rowland kept a photograph of himself and his daughters in his wallet. The photo was returned to his family after his death. (Erika Schultz / The Seattle Times)

Tommy Beams holds a sign for Michael Rowland, 63, during a vigil held Oct. 12 by WHEEL/Women in Black at Seattle City Hall. His wife, Bonnie Beams, holds a sign commemorating their son Zackary Morris, who died April 21. (Erika Schultz / The Seattle Times)

The King County Jail's initial account of Michael Rowland's death had scant information: Officials said a 63-year-old man was [found unresponsive](#) in his cell minutes after booking and died at a hospital.

But experts who reviewed Rowland's autopsy at The Seattle Times' request, police reports and a [more thorough jail report](#) published months later make it clear Rowland died after law enforcement officers used a restraint tactic that's been increasingly challenged by the medical community and banned in one state's jails after George Floyd and others were killed in the same position.

Rowland was left lying on the floor of a jail cell after he had been forced onto his stomach and held down by multiple guards, according to the reports.

The report on Rowland's death was published after a Seattle Times story exposed how the jail had [not been complying with a new state law](#) requiring public reviews of all in-custody deaths.

Experts, family members and advocates have raised serious questions about whether prone restraint should be used and whether Rowland should have been taken to jail in the first place.

From the time officers initially responded to the incident to some of his final moments struggling with jail staff, officials had multiple opportunities to treat Rowland's behavior as a medical emergency. Instead, law enforcement officers ushered Rowland to a cell in a severely understaffed jail with few mental health resources.

Rowland, a Black homeless man experiencing a mental health crisis, died as Seattle officials throughout the pandemic wrestled for control of a downtown marked by tents, street crime and people in crisis. A new mayor pledged to clean up downtown [with more police](#) while members of his administration lobbied the understaffed jail to accept more arrests.

Candice Robinson, Rowland's daughter, said her father should have received psychiatric treatment instead of a jail cell.

"When you can see someone is having a mental breakdown, why would you not take them to the hospital?" Robinson asked. "Why is jail the option?"

## **A version of Michael disappeared**

A photo taken in 1993 shows Michael Rowland at the center of a family portrait with his wife and stepchildren. In a later photo, a 40-something Rowland beams in a crisp pink button-down shirt and woolen suit, his fingernails shiny and manicured.

By 2016 that version of Michael had disappeared, according to his mother, Joyce Rowland. A Georgia driver's license photo from that year shows a gray-haired man with a confused and pained expression on his face.

Rowland lived most of his adult life in Seattle, where he met his wife while working as a janitor at UW Medicine. But his life took a turn in the late 1990s when the couple moved to Atlanta.

In the new city, Rowland's behavior grew strange, family members said. He would stare at people and make inappropriate comments, said his sister-in-law. His brother, Robin Rowland, said Michael started to

speak to himself in front of the TV. He lost his job as a driver at a nursing home.

Rowland's wife tried to persuade him to seek psychiatric help, but he denied anything was wrong, family members said.

The couple moved back to Seattle, and as Rowland's behavior grew more erratic and he continued to refuse help, the couple separated. He became homeless.

Rowland's physical health declined as he shuffled between shelters and tents outdoors. Doctors in 2014 diagnosed him with a severe degenerative back disease that caused so much pain he became unable to sleep lying down. Later, doctors recommended amputating his left leg, his mother said.

Yet Rowland refused both the amputation and pain medication. Doctors wrapped the leg, and Rowland told his mother that God would protect him no matter what.

God had even given him the ability to spit out his pain, he told his mother, by drawing out the pain from his body and into his saliva.

Rowland continued living like this for years, spitting out his pain, listening to gospel music on his phone and sometimes dancing on the street outside the St. Martin de Porres shelter in Sodo, where he often stayed.

Then, on April 19, 2022, Rowland's mental health issues that had gone untreated for years erupted into crisis.

## **Police encounter**

According to Seattle police reports, Rowland entered the lobby of a downtown Seattle hotel at about 2 a.m. on April 19 with three men and demanded food. By the time police arrived, two of the men had left and Rowland was clutching the jacket of the third. That man later told officers that while he initially agreed to go look for food with Rowland, Rowland was holding him in the lobby against his will.

Officers questioned Rowland but wrote in a report that none of his responses were "grounded in reality." Rowland told them he was "a dragon and a lion" and that he "ate planets" while asking them to fight him. He slapped the man he was holding in the face. Officers then arrested him.

They wrote that Rowland tensed his arms and attempted to pull away. Three officers took Rowland to the ground, placed him in the prone position on his stomach and one placed his knee on his shoulders and back to handcuff and restrain him.

It was the first of two times Rowland would be placed in this position before he died.

Police said Rowland repeatedly slammed his head against the ground. Another officer arrived and tried to place a seat cushion under his head to prevent him from further injuring himself. Body-worn video from the Seattle Police Department shows officers turned Rowland on his side to allow for easier breathing after he was taken to the ground and handcuffed.

When Seattle police officers encounter a person in a mental health crisis, they can call a [crisis response team](#) or transport the person to Harborview Medical Center for evaluation for civil commitment.

Instead, police called an ambulance to transport Rowland to jail in soft restraints on a stretcher. They also

placed a spit sock — a mesh bag — over his head after Rowland began to spit.

## **Increased pressure on jail**

Rowland's arrest collided with a growing set of pressures on the jail.

The new mayoral administration had pledged to right a struggling downtown with more policing. At the same time, severe understaffing had led to officers working mandatory overtime at the jail, which had seen an [unusually high number of deaths](#) since the beginning of the year. Rowland's death in April marked the fifth of six deaths in the jail this year, double the number of jail deaths in 2021.

Nevertheless, city officials successfully pushed the jail to loosen some of its pandemic-era booking restrictions. The jail had previously restricted most bookings on misdemeanor charges to keep its population smaller and prevent the spread of COVID-19. But Seattle officials negotiated with the jail to accept repeat misdemeanor offenders and people arrested during special policing initiatives.

Two days after Rowland died, a city official criticized the jail for refusing to book another man in a mental health crisis, according to emails obtained by The Seattle Times through a public records request.

On April 21, Tim Burgess, Mayor Bruce Harrell's director of strategic initiatives, emailed then-King County Jail director John Diaz with a complaint. Police said a man "in crisis" head-butted and kicked an officer, but jail staff turned him away because he was "too erratic."

Burgess said the jail was unnecessarily turning away people whose medical issues could be handled by jail health staff.

"I'm fearful," Burgess wrote, "that I will hear next that an arrestee has a hangnail and is declined."

King County Deputy Executive April Putney responded to Burgess' email sharply, saying she would "stop short of believing it's indicative of the city's overall approach to responding to people in mental health crisis."

The county, she added, "believes jail should be used only when necessary, and not as a more convenient alternative to a hospital."

Burgess said in an emailed statement to The Seattle Times that his message to jail officials reflected "individual frustration" and that the Harrell administration "will continue advocating for nuanced solutions to these challenging issues."

Officers shouldn't have taken Rowland to jail given the "cues and clues to know that they were probably dealing with someone in mental distress," said Sabah Muhammad, legislative and policy counsel with the national nonprofit Treatment Advocacy Center who reviewed the King County Jail's report of Rowland's death.

A different model of policing could have involved officers taking cues from a social worker, Muhammad said.

"You have to question why wasn't a behavioral health specialist called in," said Anna Nepomuceno, director of public policy for the National Alliance on Mental Illness Washington. "Incidents like this really highlight the need for an improved crisis response system."

Becca Boatright, the Police Department's executive director of legal affairs, said getting a social worker at that hour would have been unlikely and the situation did not call for it.

Seattle police data shows that officers have encountered people in crisis approximately more than 9,600 times so far this year. According to the data, force has been used in 124 of those encounters — a little more than 1%. People identified as being in crisis were arrested 6% of the time, and nearly 30% were detained for involuntary commitment.

Still, officers have individual discretion in both identifying people in crisis and choosing where they go.

Boatright defended police officers' decision to take Rowland to jail.

Deputy Mayor Monisha Harrell also affirmed officers' decision-making.

"Our officers were responding to the crime and we also want to ensure that we are not putting people at undue health risks," she said.

Harrell also said medical evaluators at the jail could have turned him away if they found him unfit to be there.

It appears Jail Health Services staff did not conduct a full medical evaluation of Rowland when he arrived at the downtown Seattle jail on a gurney around 3 a.m.

Staff attempted a medical screening, according to the jail report, but said Rowland threatened to bite and assault them. They also noticed his bandaged leg, "but it was not felt to be an immediate medical concern."

## **Restraint reexamined**

Before he was placed in the prone position for the second time, jail staff tried to get Rowland to change his clothes into jail-issued garments. He refused and attempted to bite and head-butt staff, according to the jail report.

Seattle Police Department video footage largely backs up officers' written narratives of the night, but no video exists of what happened in Rowland's cell, officials said. Curtis Dencklau, who was in a nearby holding cell the night Rowland was arrested, said he saw three or four officers rolling a man down the hall as he kicked and screamed with a bag over his head.

Jail staff said Rowland continued to thrash throughout what happened next. According to the jail report and a police review of the night, at 3:16 a.m. corrections officers handcuffed Rowland, dragged him into a cell and placed him on his stomach.

One officer put his weight on Rowland's calves and two others each put a knee on his back, according to the police report. They changed his pants, then removed the handcuffs and finished changing his clothes.

Guards told police they removed the spit sock over Rowland's face after they took off his clothes. At least two guards continued to hold Rowland down by his arms and legs while others left the cell. One guard said he couldn't remember Rowland "saying or doing anything at that point" and that Rowland was told not to get up until he heard the door close.

At 3:21 a.m., officers left Rowland lying prone and unrestrained on the floor of his cell. The report makes

no mention of officers placing him in a position to allow for easier breathing as police had done earlier in the night, and as [federal guidance](#) has advised since 1995.

One guard told police she heard a “gurgle” from Rowland’s cell and wondered if she had heard “his last breath.”

Staff observed the rise and fall of Rowland’s breathing through the cell window, according to the jail report. Two minutes later, he stopped moving. After lifesaving efforts at the jail, Rowland was taken to Harborview Medical Center. By 4:57 a.m. he was dead.

For years, much of the medical literature on prone restraint — pinning people to the ground, belly-down — asserted that this tactic does not put people at risk of death. Many of those studies involved researchers who testify in defense of law enforcement.

But after the death of George Floyd, who was killed by Minneapolis police while he was in prone restraint, the tactic has been reexamined. An investigation by Denver and Minneapolis TV stations found 133 cases of death [related to prone restraint](#) across the country. Most of the people who died were Black or Hispanic, and two police departments revised their prone restraint policies as a result of the findings. Last year, the state of Minnesota largely [banned the technique](#) in jails and prisons.

Manuel Ellis, the Tacoma man whose family this year received a \$4 million settlement through a wrongful-death lawsuit against Pierce County, also [died after being restrained](#) in the prone position by Tacoma police officers. The Washington attorney general has criminally charged the three officers involved in Ellis’ March 2020 death, and the trial is scheduled for next September.

Cardiologist Dr. Alon Steinberg presented research to the National Association of Medical Examiners in October that says the prone position can increase the risk for cardiac arrest.

“I’m trying to get out there and put the word out that prone restraint is dangerous and we should limit it,” Steinberg, chief of cardiology at Community Memorial Hospital in Ventura, California, told The Seattle Times.

The King County Medical Examiner’s Office determined “sudden death during physical restraint” to be the primary cause of Rowland’s death. Other factors included cardiovascular disease, obesity and agitation with symptoms of acute psychosis.

But the medical examiner said it’s unclear what role force played in Rowland’s death. The office labeled Rowland’s manner of death as “undetermined” — a rare statement of uncertainty meaning that the medical examiner could not come to a conclusion about how he died.

## **Undetermined or homicide**

Rowland’s death probably should have been classified as a homicide, according to Maastricht University professor of forensic medicine Dr. Michael Freeman, who reviewed the autopsy report at the request of The Seattle Times.

Homicide classifications do not imply an intent to kill a person. According to the National Association of Medical Examiners, a death that occurred because of someone else’s harmful voluntary actions can be considered a homicide.

“But for the restraint, if the guy was sitting at home on his couch watching TV at the same time, would he have been likely to die?” asked Freeman, an expert for Washington state retained for the upcoming Manuel Ellis trial and for prosecutors during the trial of Derek Chauvin, the Minneapolis officer convicted of murdering George Floyd.

The National Association of Medical Examiners has urged medical examiners to consider classifying these deaths as homicides, rather than as accidents or undetermined. Labeling a death undetermined limits external follow-up investigations, Freeman said.

In an internal review, jail commanders determined that the corrections officers’ use of force was “reasonable and necessary under the circumstances.”

But without video, the jail’s narrative of events leading up to Rowland’s death could not be independently verified.

Jail director Allen Nance said he’s since instructed corrections staff to record video using cellphones or other handheld devices when they can anticipate use of force. There are cameras in some areas of the jail, but corrections officers are not equipped with body-worn video.

The King County Prosecuting Attorney’s Office has not yet made a recommendation as to whether Rowland’s death will be investigated by an inquest, a probe assigned for deaths involving law enforcement in King County.

Seattle police are still investigating the circumstances of Rowland’s death.