



CLOSED CASE SUMMARY

ISSUED DATE: MAY 15, 2025

FROM: INTERIM DIRECTOR BONNIE GLENN
OFFICE OF POLICE ACCOUNTABILITY

CASE NUMBER: 2025OPA-0068

Allegations of Misconduct & Director's Findings

Named Employee #1

Allegation(s):		Director's Findings
# 1	5.140 - Bias-Free Policing, 5.140-POL-2 Officers Will Not Engage in Bias-Based Policing	Not Sustained - Unfounded
# 2	5.001 - Standards and Duties POL-10. Employees Will Strive to be Professional	Not Sustained - Unfounded

This Closed Case Summary (CCS) represents the opinion of the OPA Director regarding the misconduct alleged and therefore sections are written in the first person.

EXECUTIVE SUMMARY:

The Complainant alleged Named Employee #1 (NE#1) was unprofessional and engaged in bias-based policing due to his race by speaking to him in a belittling, bullying, and aggressive manner.

ADMINISTRATIVE NOTE:

During its intake investigation, OPA determined that NE#1 immediately sent the Complainant's allegations against her to her Supervisor, now a former SPD employee. The Supervisor failed to follow the appropriate bias-review protocol by not submitting the bias review to the chain of command in a timely manner and not completing several other required steps. OPA sent the Supervisor's potential violation of SPD Policy 5.140-PRO-1 (Handling a Bias-Based Policing Allegation) to his chain of command for documentation as a Supervisor Action.¹

On May 2, 2025, the Office of Inspector General (OIG) certified this case as objective and thorough, but not timely. OIG wrote that OPA first received this allegation November 21, 2024, and so, the classification notice was due 30 days from then. Instead, OPA sent the classification notice on April 1, 2025. OPA acknowledges the untimeliness of the classification notice but notes the investigation itself was completed within the 180-day investigation timeline.

SUMMARY OF INVESTIGATION:

OPA investigated the Complainant's allegations by reviewing the associated bias review submission, NE#1's report and supplements, which documented her phone conversation with the Complainant and the Complainant's email to NE#1. OPA also interviewed the Complainant and NE#1.

¹ A Supervisor Action generally involves a minor policy violation or performance issue the employee's supervisor addresses through training, communication, or coaching. See OPA Internal Operations and Training Manual section 5.4(B)(ii).



According to the related incident report and supplements, on August 15, 2024, the Complainant was involved in a dispute with two other community members. Community Member #1 (CM#1) reported the Complainant hit his hand and face while trying to take CM#1's cell phone. CM#1 also reported the Complainant threatened he would "burn in a fire" for "being an immigrant." CM#1 reported there was a prior incident when the Complainant yelled and pushed CM#1 while making "anti-immigrant" statements. Community Member #2 (CM#2) corroborated this version of events. CM#1 showed officers a cell phone video that corroborated his version of events.

NE#1—a detective—reviewed the case and completed a supplement. NE#1 documented that the Complainant made three prior 911 calls reporting that he "smelled the odor of fentanyl" in his building, but responding officers indicated they did not smell this. NE#1 also spoke with the Complainant over the phone. NE#1 documented that the Complainant was "very escalated" from the beginning of the call. The Complainant stated that the community members "mean mug" him and speak in a different language, which the Complainant interprets as threatening. The Complainant stated the community members "pretend they don't speak English." The Complainant stated he had not done anything to the community members. NE#1 documented challenging the Complainant on this point, noting she had seen the video. She wrote the Complainant "became enraged" and denied striking CM#1, instead stating that he "snatched" the phone out of his hand but eventually returned it. NE#1 also documented the Complainant's version of events that one of the community members threatened to fight him, and that the Complainant responded he would "burn them," by which he meant "I'm gonna burn you to bits...I'm gonna whip your ass." Regarding the prior incident, the Complainant stated the community member pointed his finger at him, so he "bent the man's finer back and the man fell down." The Complainant stated the other community members provoke him by looking at him, his family, and "muttering under their breath." NE#1 documented confronting the Complainant that another person looking at him is not a reason to confront or threaten them, and that another person filming you during a confrontation is not illegal. NE#1 documented the Complainant disagreeing with this and calling NE#1 a racist for not being on his "side."

NE#1 documented an email that the Complainant forwarded her. The email was from the Complainant to his apartment manager. In the email, the Complainant stated that the community members are "disrespectful" and "harass" him, noting they "mean mug" and "stare" at him while saying "nothing." The Complainant wrote a request for the community members to be trespassed as he felt he needed to "defend" himself.

NE#1 documented speaking with the Complainant's property manager, who stated there were no cameras of the area, CM#1 was not a problematic tenant, but the Complainant would be receiving a "sanction letter for his conduct." NE#1 forwarded the incident to the City Attorney's Office for prosecution.

OPA also reviewed the email the Complainant sent to NE#1. In it, he said he felt "humiliated and disrespected." He wrote NE#1 was "unprofessional and laughing" as well as "screaming" at him. Overall, the Complainant alleged NE#1 had taken sides against him.

Complainant Interview

The OPA investigator called the Complainant and conducted a recorded interview. The investigator noted that the Complainant began the call by initially discussing a different incident where he had a dispute with a 911 dispatcher. The Complainant stated he lives near Amazon and that the majority of people there are from another country. He said the community members are from another county and they had an issue with each other. He said he was frustrated with NE#1 because, when he denied assaulting the community members, she did not believe him. He stated he felt NE#1 kept belittling everything he said and, "As an American, I just felt like I was being spit on." He felt NE#1 was



lecturing him and not trying to figure out what happened. He felt NE#1's demeanor had racist undertones against him as a Black man.

NE#1 Interview

OPA interviewed NE#1. NE#1 indicated she is the Bias-Crime Coordinator for SPD. She detailed her professional education in counseling psychology, work as a hostage negotiator, and training in interviewing. She noted she does not always record the phone interviews she conducts as it can have a chilling effect. She described reviewing the police report and video evidence before calling the Complainant, but noting she still genuinely sought his side of the story. She said she left a voicemail for the Complainant and, when he called her back, he was immediately escalated and yelling. She described the Complainant's demeanor as out of the ordinary and raising a question about his mental health. She noted he accused her of being a racist, which she reported to her supervisor. She said she did refer the underlying incident to the City Attorney's Office for prosecution, hoping there could be a mental health component to any resolution, but the case was declined. She denied the allegations against her.

Video Evidence

OPA reviewed the two videos obtained from the community members. The first video showed the Complainant talking in an elevated tone in close proximity to CM#1 and CM#2 in the parking garage stating, "if you're recording me right now you should stop." Either CM#1 or CM#2 said, "I will not stop." The Complainant again stated, "If you're recording me you should stop." At that point, the Complainant took his left hand and hit the phone and hand of CM#1 hard when the video abruptly stopped.

The second video showed the Complainant in close proximity to CM#1 and CM#2 in an elevated tone stating, "the men don't record, the men don't record, the men don't record and men don't jump into other men's business without knowing what the other man is going on. Do you understand, do you understand, no I know you don't understand but you're going to find out soon bro. Find out soon, find out soon." Either CM#1 or CM#2 then said, "are you going to kill us?" Then the Complainant stated, "are you recording again like a female? Are you recording this like a female? Then either CM#1 or CM#2 said, "what are you going to do." Then the Complainant said, "okay. I'm gonna show you." The video ended as the Complainant was walking away from CM#1 and CM#2. The video evidence showed at a minimum the hitting of CM#1's cell phone and hand hard and then abruptly stopping.

ANALYSIS AND CONCLUSIONS:

Named Employee #1 — Allegation #1

5.140 — Bias-Free Policing, 5.140-POL-2 Officers Will Not Engage in Bias-Based Policing

The Complainant alleged that NE#1 engaged in bias-based policing due to his race by speaking to him in a belittling manner.

SPD policy prohibits biased policing, which it defines as "the different treatment of any person by officers motivated by any characteristic of protected classes under state, federal, and local laws as well other discernible personal characteristics of an individual." SPD Policy 5.140-POL. This includes different treatment based on the race of the subject. See *id.* Officers are forbidden from both, (i) making decisions or taking actions influenced by bias, and (ii) expressing any prejudice or derogatory comments concerning personal characteristics. See SPD Policy 5.140-POL-2.



OPA notes there is not video or audio recording of the phone call between NE#1 and the Complainant. For his part, the Complainant broadly described NE#1 as speaking to him in a “belittling,” bullying, or rude manner. When giving specifics for this impression, the Complainant expressed frustration that NE#1 would not believe him and challenged him on points instead of just listening to his side of the story. NE#1 described the Complainant as being agitated from the beginning of their call. She noted she tried to talk to him about his interaction with the Community Members and explained that some of his concerns, like the community members recording him, were not crimes. She expressed an inability to communicate with him due to his heightened state.

The Complainant’s allegation is unfounded. Even as described by the Complainant, the things he felt NE#1 did that were belittling were appropriate. Specifically, the Complainant took issue with NE#1 questioning his story. NE#1 documented these exact issues in her supplementary report. Criminal investigators are not required to simply listen to a witness or suspect without evidence-testing their account. Here, the Complainant denied assaulting CM#1; video evidence showed otherwise. At a minimum, it showed he abruptly knocked the phone and hand of CM#1 with force on video. Also, the Complainant denied he had not done anything to the community members. It was appropriate for NE#1 to confront him with this evidence. Similarly, it was appropriate for her to push him on his description of behaviors of the community members he found threatening—such as looking at him, speaking in another language, and recording him during the confrontation.

To the extent the Complainant alleged NE#1 screamed at him, OPA finds this, more likely than not, did not occur. The evidence tended to show that the Complainant did not accurately portray incidents—such as by denying assaulting CM#1 when video tended to show otherwise—and tended also to interpret innocuous actions as threatening. OPA finds NE#1’s recollection of this incident more credible based on the evidence provided. Finally, NE#1 did not fail to listen to the Complainant. To the contrary, she tried to speak to the Complainant, wrote a supplemental report accurately documenting the Complainant’s side of the story, that included explanations, and denials.

Accordingly, OPA finds that, more likely than not, based on the evidence provided, NE#1 did not treat the Complainant differently due to his race or unprofessionally. OPA recommends this allegation be Not Sustained – Unfounded.

Recommended Finding: **Not Sustained – Unfounded**

Named Employee #1 — Allegation #2

5.001 — Standards and Duties POL-10. Employees Will Strive to be Professional

The Complainant alleged that NE#1 spoke to him in an unprofessional way.

SPD Policy 5.001-POL-10 requires that SPD employees “strive to be professional.” The policy further instructs that “employees may not engage in behavior that undermines public trust in the Department, the officer, or other officers” whether on or off duty. SPD Policy 5.001-POL-10. Furthermore, the policy states: “Any time employees represent the Department or identify themselves as police officers or Department employees, they will not use profanity directed as an insult or any language that is derogatory, contemptuous, or disrespectful toward any person.” *Id.*

For the reasons set forth above at Allegation #1, OPA recommends this allegation be Not Sustained – Unfounded.

Recommended Finding: **Not Sustained – Unfounded**