
Issued Date: October 22, 2025

From: Interim Deputy Director Nelson Leese (on behalf of Interim Director Bonnie Glenn)
Office of Police Accountability 

Case Number: 2025OPA-0179

Allegations of Misconduct & Director's Findings

Named Employee #1

1. **Allegation #1:** 15.180 – Primary Investigations, 15.180-POL-5. Officers Shall Document all Primary Investigations on a Report
Finding: Not Sustained - Unfounded (Expedited)
 2. **Allegation #2:** 5.140 – Bias-Free Policing, 5.140-POL-2. Officers Will Not Engage in Bias-Based Policing
Finding: Not Sustained - Unfounded (Expedited)
 3. **Allegation #3:** 6.180 – Searches-General, 6.180-POL-6 Search Incident-to-Arrest/Custodial Search
Finding: Not Sustained - Lawful and Proper (Expedited)
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This Closed Case Summary (CCS) represents the opinion of the OPA Director regarding the misconduct alleged and therefore sections may be written in the first person.

Executive Summary:

Named Employee #1 (NE#1) responded to an assault incident involving the Complainant and Community Member #1 (CM#1) but ultimately arrested the Complainant. The Complainant alleged that NE#1 conducted an inadequate investigation, exhibited racial bias toward him, and unlawfully seized his phone and failed to return it.

Administrative Note:

During its intake investigation, OPA identified NE#1 failing to notify the Complainant and CM#1 that they were being recorded. OPA sent NE#1's potential violation of SPD Policy 16.090-POL-2(1) (Notification of Recording) to his chain of command for Supervisor Action.

This case was approved for Expedited Investigation. That means OPA, with the Office of Inspector General's (OIG) agreement, believed it could issue recommended findings based solely on its intake investigation without interviewing the named employee. As such, OPA did not interview the named employee in this case.

On June 20, 2025, OIG certified OPA's investigation as thorough, timely, and objective.

Summary of the Investigation:

OPA investigated this incident by reviewing the OPA complaint, computer-aided dispatch call report, body-worn video, private videos, audio recording, incident and supplement reports, and interview statements from the Complainant. Based on these records, a preponderance of the evidence showed the following:

On May 12, 2025, NE#1 arrived at the Complainant's townhome. The Complainant reported that he and CM#1 had an argument after he told CM#1 to stop charging her phone using an exterior wall outlet. He said CM#1 lunged at him in a manner akin to a "football tackle." He said he struck CM#1 in response and "stomped" on her. He attributed the stomping to fear stemming from prior encounters of homeless people who had threatened him with a knife. He showed NE#1 a video on his phone capturing a part of the altercation. It showed the Complainant repeatedly stomping on CM#1 as she shielded herself and continuously pleaded, "Please stop!" NE#1 photographed scrapes on the Complainant's body, which NE#1 believed were consistent with the Complainant falling and striking CM#1.

NE#1 then interviewed CM#1, who was being treated by Seattle Fire Department (SFD) personnel. She said she got close to the Complainant but did not physically touch him. She said he swung at her, resulting in a physical altercation that led to both parties falling to the ground, followed by his repeated stomping. SFD personnel treated CM#1 for a broken arm by applying a splint.

NE#1 returned to the Complainant and arrested him for assault. In his incident report, NE#1 documented the following reasoning:

Whoever may have instigated the incident, and whoever escalated it into a physical fight, when [the Complainant] repeatedly stomped on a prostrate, unarmed subject who he had an enormous physical advantage against, thereby breaking her arm, the altercation could no longer be reasonably be construed as mutual combat or self-defense. In fact, it meets the definition for RCW 9A.36.021, Assault in the Second Degree[.]

Following the Complainant's arrest, his cellphone was seized and submitted into evidence.

Analysis and Conclusions:

Named Employee #1 – Allegation #1

15.180 – Primary Investigations, 15.180-POL-5. Officers Shall Document all Primary Investigations on a Report

The Complainant alleged that NE#1 conducted an inadequate investigation.

SPD Policy 15.180-POL-1 requires that, in primary investigations, officers conduct a thorough and complete search for evidence. Officers must then document this primary investigation in a report that is complete, thorough, and accurate. See SPD Policy 15.180-POL-5.

This allegation is unfounded. NE#1 conducted a thorough and complete search for evidence, which he then articulated in a complete, thorough, and accurate report. NE#1 interviewed the Complainant, CM#1, and other officers interviewed a witness (whose account corroborated CM#1's). NE#1 also reviewed video, SFD's evaluation of CM#1's injuries, and screened the incident with a supervisor. The Complainant's cell phone—which contained possible evidence of a crime—was seized.

Accordingly, OPA recommends this allegation be Not Sustained – Unfounded (Expedited).

Recommended Finding: **Not Sustained – Unfounded (Expedited)**

Named Employee #1 – Allegation #2

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

The Complainant alleged that NE#1 exhibited racial bias toward him.

Biased policing means the different treatment of any person by officers motivated by any characteristic of protected classes under state, federal, and local laws, as well as other discernible personal characteristics of an individual. SPD Policy 5.140-POL. It includes different treatment based on race. See id. Officers are forbidden from making decisions or taking actions influenced by bias and expressing prejudice or derogatory comments concerning discernible personal characteristics. See SPD Policy 5.140 POL-2.

This allegation is unfounded. NE#1 conducted a thorough and unbiased investigation by interviewing the involved parties separately, evaluating and photographing their injuries, reviewing video footage, conferring with backing officers who spoke to witnesses, and screening the incident with an acting sergeant, who agreed with NE#1's decision to arrest the Complainant. Objective doorbell footage captured the Complainant repeatedly stomping on CM#1, who shielded herself and begged him to stop. Furthermore, the Complainant was significantly larger than CM#1.

Ultimately, NE#1's decision to arrest the Complainant for assault was based on the evidence he gathered during his investigation. OPA found no evidence of bias.

Accordingly, OPA recommends that this allegation be Not Sustained – Unfounded (Expedited).

Recommended Finding: **Not Sustained – Unfounded (Expedited)**

Named Employee #1 – Allegation #3

6.180 – Searches-General, 6.180-POL-6 Search Incident-to-Arrest/Custodial Search

The Complainant alleged that NE#1 unlawfully seized his phone and failed to return it.

Officers may, incident to a lawful arrest, search an arrestee's person and the area within the arrestee's immediate control. SPD Policy 6.180-POL-6. Officers may not search digital information on a cell phone or other device without the owner's consent or a search warrant. Id.

NE#1 lawfully seized the Complainant's cellphone incident to arrest and submitted it into evidence. There was no indication that NE#1 searched the cellphone. In fact, a follow-up detective obtained a search warrant for the cellphone, but because he was unable to access it, he later contacted the Complainant to ask for the password. The cellphone was not returned to the Complainant due to its evidentiary value.

Accordingly, OPA recommends that this allegation be Not Sustained – Lawful and Proper (Expedited).

Recommended Finding: **Not Sustained – Lawful and Proper (Expedited)**