


**Issued Date:** March 13, 2026

**From:** Deputy Director Nelson R. Leese (on behalf of Director Bonnie J. Glenn)<sup>1</sup>  
Office of Police Accountability 

**Case Number:2025OPA-0136**

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**Allegations of Misconduct & Director's Findings**

**Named Employee #1**

1. **Allegation #1: 8.300 - Use of Force Tools, 8.300-POL-14 Firearms, 1. Sworn Employees Will Only Discharge Firearms in Situations Where Deadly Force is Permitted**

**Finding:** Not Sustained - Management Action

2. **Allegation #2: 5.001 - Standards and Duties, 5.001-POL 10. Employees Will Strive to be Professional**

**Finding:** Sustained

- **Proposed Discipline: Nine Hours (One Day) to Twenty Seven Hours (Three Days) Suspension**
    - **Imposed Discipline: Twenty Seven Hours (Three Days) Suspension and Ten Hours of Re-Training**
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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:**

OPA investigated whether Named Employee #1 (NE#1) improperly discharged his firearm at the North Precinct.

**Administrative Note:**

On August 18, 2025, the Office of Inspector General certified OPA's investigation as thorough, timely, and objective.

## **Summary of the Investigation:**

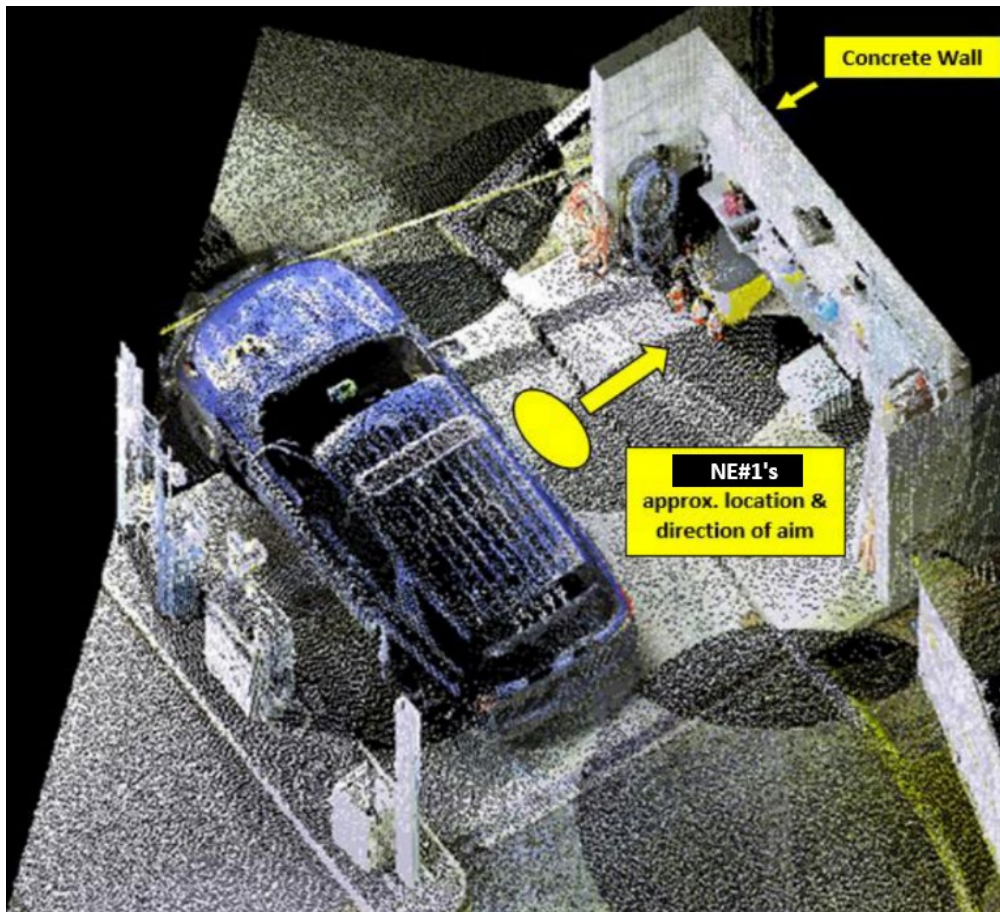
OPA's investigation included reviewing the North Precinct security video, computer-aided dispatch call report, incident report, Force Investigation Team (FIT) records, interview statements from NE#1, and training material.

### **A. Force Investigation Team (FIT) Callout**

On April 7, 2025, OPA responded to a FIT callout and learned that NE#1 was practicing drawing his firearm from his holster near a gas pump at the North Precinct. During NE#1's third draw, he discharged one round, which pierced a concrete wall. No injuries were reported. OPA investigated whether NE#1 improperly discharged his firearm.

### **B. North Precinct Security Video and Force Investigation Team (FIT) Records**

On April 7, 2025, a North Precinct security video captured NE#1 parking his patrol vehicle beside a gas pump and fueling his tank at around 8:16 PM. At around 8:20 PM, NE#1 approached the driver's side of his patrol vehicle, turned toward a concrete wall, and assumed a shooting stance.



*The image above, obtained from FIT's report, depicts NE#1's position and surrounding.*

NE#1 drew his firearm, aimed it at the concrete wall using both hands, with his index finger placed against the slide of the firearm, and then holstered it. NE#1 repeated this action a second time.



*The image above, taken from the North Precinct's security video, depicts NE#1's second draw.*

NE#1 drew his firearm a third time, immediately after which a bullet discharged. At the time of discharge, NE#1's index finger appeared to be positioned within the trigger guard area of the firearm.



*The image above, taken from the North Precinct's security video, depicts NE#1's firearm discharging.*

NE#1 removed the magazine from the firearm, racked the slide, holstered the firearm, retrieved the ejected round and inserted it into the magazine, and set the magazine on the roof of his patrol vehicle.



*The image above, obtained from FIT's report, depicts a close-up of the bullet hole. An open door to the right is visible.*

According to the FIT report, there was no indication that the bullet impacted anything else after striking the wall. The report also stated that a FIT detective had NE#1's firearm inspected by SPD's armorer, who found the firearm to be in good working condition.

### **C. OPA Interview**

On August 5, 2025, OPA interviewed NE#1. He said he occasionally practices his firearm draws before he starts his patrol duties to ensure his firearms skills remain current, as they perish over time. He said he had recently completed red dot training at the end of February. He said this was his first practice since that training. He said his location was convenient due to the cement wall providing a good backdrop. He believed practicing his draws was a productive use of his time while awaiting his tank to fill. He said he intended to practice drawing rather than dry firing. He said he typically places his index finger against the

slide of the firearm and thought he had done so when the firearm discharged. He said he was surprised at the discharge, as he believed he had not pulled the trigger. Although he acknowledged that he had discharged his firearm when the use of deadly force was unauthorized, he did not intend to use force. He maintained that the discharge was unintentional.

#### **D. Training Material**

The training NE#1 referenced during his OPA interview pertained to a handgun-mounted optic course. The course included a handout that outlined the following rules:

##### **FOUR CARDINAL RULES**

1. ALL GUNS ARE LOADED
2. POINT YOUR MUZZLE IN A SAFE DIRECTION (LASER RULE)
3. KEEP YOUR FINGER OUTSIDE THE TRIGGER GUARD UNTIL YOU ARE ON TARGET AND HAVE DECIDED TO FIRE
4. BE AWARE OF YOUR TARGET AND WHAT IS BEYOND IT

The handout also outlined rules for dry practice firing. The second rule was provided as follows:

2. **ALL AMMUNITION MUST BE REMOVED FROM THE ROOM** IN WHICH THE OFFICER IS PRACTICING. THE GUN IS UNLOADED; THE CHAMBER, CYLINDERS AND MAGAZINES ARE EMPTIED. ALL AMMUNITION IS ACTUALLY PLACED INTO A BOX, AND THEN PLACED OUT OF SIGHT AND IMMEDIATE REACH. IF THE DUTY GUN BELT IS USED, IT TOO MUST BE STRIPPED OF AMMUNITION. MANY THINK THIS "AMMO INTO THE BOX" STEP IS EXTREME, BUT IT IS THE RITUAL NATURE OF THIS STEP WHICH MAKES IT INVALUABLE.

### **Analysis and Conclusions:**

#### **Named Employee #1 – Allegation #1**

##### ***8.300 – Use of Force Tools, 8.300-POL-14 Firearms, 1. Sworn Employees Will Only Discharge Firearms in Situations Where Deadly Force is Permitted***

NE#1 allegedly discharged his firearm in a situation where deadly force was unauthorized.

Sworn employees will only discharge firearms in situations where deadly force is permitted. SPD Policy 8.300-POL-14(1). A sworn employee must be able to clearly articulate the reasons for the use of deadly force, including whether the sworn employee's life or the lives of others were in immediate peril and whether there was no reasonable alternative. SPD Policy 8.300-POL-14.

Although there is no dispute that NE#1 discharged his firearm in a situation where deadly force was unauthorized, a preponderance of the evidence showed the discharge was unintentional and occurred in a situation in which NE#1 was practicing a his draw. The North Precinct's security video showed NE#1 practicing his firearm draws toward a concrete wall, rather than intentionally firing at an individual. Thus,

OPA finds this allegation unfounded. NE#1's unintentional discharge resulted from his failure to comply with firearms safety rules, which OPA addresses below in Named Employee #1 – Allegation #2.

However, in classifying this case, OPA recognized a policy gap. SPD Policy 7.030-POL-1 requires employees to “safely handle firearms” when recovering firearms as evidence, but SPD policy does not contain a general requirement to safely handle firearms. OPA recommends SPD incorporate such a requirement in SPD Policy 9.060 – Firearms.

Accordingly, OPA recommends that this allegation be Not Sustained – Management Action.

- **Management Action Recommendation:** SPD should amend SPD Policy 9.060 to include a general requirement for employees to safely handle firearms. At a minimum, the general requirement should incorporate the “Four Cardinal Rules” of gun safety, adherence to firearm training, and obedience to range masters and firearms instructors.<sup>2</sup>

Recommended Finding: **Not Sustained – Management Action**

### **Named Employee #1 – Allegation #2**

#### ***5.001 – Standards and Duties, 5.001-POL-10. Employees Will Strive to be Professional***

NE#1 allegedly undermined public trust in SPD and himself when he unintentionally discharged his firearm.

SPD employees must “strive to be professional.” SPD Policy 5.001-POL-10. Further, “employees may not engage in behavior that undermines public trust in the Department, the officer, or other officers,” whether on or off duty. *Id.*

OPA sustains this allegation. Although a preponderance of the evidence established an unintentional discharge, the discharge resulted from NE#1's failure to comply with multiple firearms safety rules taught during training. Specifically, NE#1 failed to unload his firearm (cardinal rule 1) and failed to keep his finger outside the trigger guard (cardinal rule 3). There was no indication that the discharge resulted from a defect in NE#1's firearm, as SPD's armorer found it to be functioning properly. Moreover, NE#1 arguably failed to point his firearm in a safe direction (cardinal rule 2) and appeared to be unaware of what was beyond his target (cardinal rule 4). The close-up bullet hole depicted in FIT's image also depicted the concrete wall having a door to its right, indicating the possible presence of a person or object behind the wall. The mere existence of an open door should have signaled that a firearm should not be aimed in that direction, particularly since NE#1 seemed unaware of what lay behind the concrete wall. In addition to these multiple firearm safety violations, NE#1 exercised poor judgment by practicing his draws outside near a gas pump, despite the availability of a shooting range at the North Precinct.

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<sup>2</sup> OPA notes a 2023 investigation involving a former employee whose behavior at the Range was inattentive, disruptive, and uncooperative with instructions from Range personnel. See 2023OPA-0510.

OPA appreciates NE#1's intent to hone his firearm drawing skills to maintain proficiency. The evidence clearly indicated that the discharge was unintentional. Nevertheless, OPA could not overlook multiple objectively unsafe choices that, when considered together, would undermine public trust in SPD's and NE#1's ability to ensure public safety. Ultimately, the totality of NE#1's poor judgment led to a discharge and created an unsafe condition for NE#1 and his colleagues.

Accordingly, OPA recommends that this allegation be Sustained.

Recommended Finding: **Sustained**