

Issued Date: December 8, 2025

From: Director Bonnie Glenn
Office of Police Accountability



Case Number: 2025OPA-0231

Allegations of Misconduct & Director's Findings

Named Employee #1

- 1. Allegation #1:** 8.200 – Using Force, 8.200-POL-1. Using Force: When Authorized

Finding: Not Sustained - Lawful and Proper

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:

SPD officers, including Named Employee #1 (NE#1), responded to a protest occurring near a federal building. The Complainant alleged that NE#1 used unauthorized force by pushing Community Member #2 (CM#2) to the ground while she was attempting to move back. OPA also investigated whether NE#1 used unauthorized force by pushing Community Member #1 (CM#1) to the ground while she was attempting to leave.

Administrative Note:

The allegation concerning the force used against CM#2 was approved for expedited investigation. That means OPA, with the Office of Inspector General's (OIG) agreement, believed it could issue a recommended finding based solely on its intake investigation without interviewing NE#1 about this allegation. On August 6, 2025, OIG certified OPA's expedited investigation as thorough, timely, and objective.

The allegation concerning the force used against CM#1 underwent a full investigation. On October 22, 2025, OIG certified OPA's full investigation as thorough, timely, and objective.

Summary of the Investigation:

OPA investigated this incident by reviewing the OPA complaint, computer-aided dispatch (CAD) call report, body-worn video (BWV), supplement and use-of-force reports, privately recorded video, and interview statements from NE#1. The Complainant declined OPA's request for an interview.

A. OPA Complaint

On June 12, 2025, the Complainant submitted an OPA complaint, alleging that NE#1 "hard push[ed]" CM#2 while she was "backing up and complying." OPA also investigated NE#1's push against CM#1 while she was attempting to leave.

B. Computer-Aided Dispatch Call Report and Use-of-Force Report

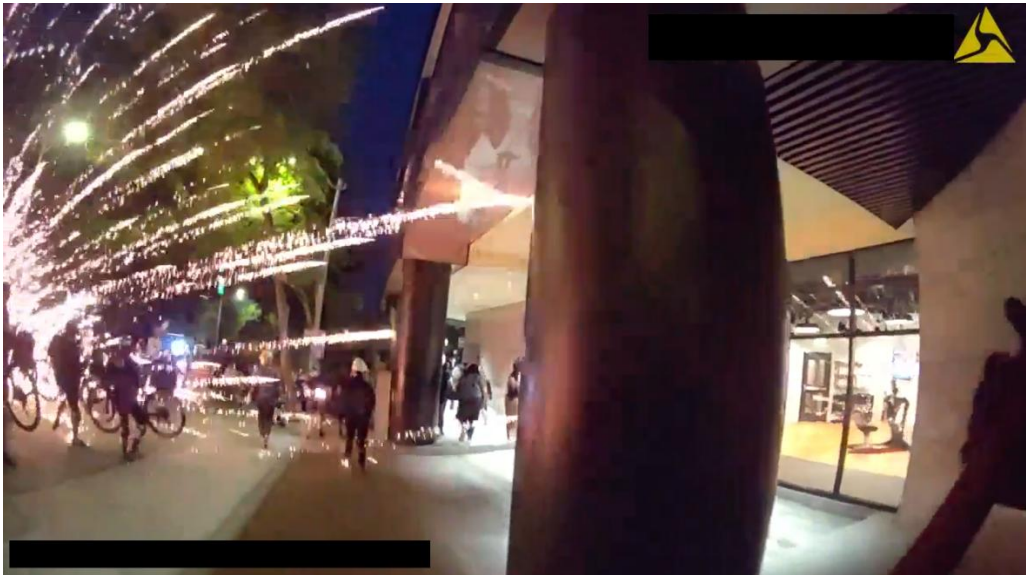
On June 11, 2025, shortly after 6 PM, CAD noted an "ICE [Immigration and Customs Enforcement] OUT" event.

A captain serving as the incident commander prepared a use-of-force report detailing SPD's response to the protest. He wrote that the protesters gathered at a federal building in downtown, where they obstructed traffic and caused property damage, including setting a commercial dumpster ablaze. He wrote that he initially directed the officers to de-escalate and disengage but then ordered the crowd's dispersal when the protesters "attacked officers with what appeared to be commercial grade fireworks, rocks[,] and bottles." He wrote that while most protesters complied with the dispersal order, several protesters who were "committed to confrontation with police" had "immediately attacked retreating officers" who were disengaging from the area. He wrote that he issued a second dispersal order, which led to the crowd's dispersal. He concluded that the dispersal prevented the crowd from launching another attack on the officers and fragmented the crowd into significantly smaller groups.

C. Body-Worn Video

NE#1's BWV captured the following:

SPD officers, including a baton-wielding NE#1, was conducting crowd control in downtown Seattle. Fireworks exploded near the officers and the protesters. The officers ordered the protesters to "move back." Most protesters appeared to comply with the order. However, fireworks exploded again near the officers.



The image above was taken from NE#1's BWV. The protesters ignited fireworks near the officers.

The officers continually advanced and ordered the protesters to move back. The protesters complied. NE#1 reached CM#1 and another individual (Community Member #3 or CM#3)—both of whom were seated beside a building, sheltered by an extension above them and a pillar beside them. NE#1 repeatedly ordered them to move. They stood slowly but displayed hesitation, prompting NE#1 to reissue his order. In response, CM#3 quickly stepped onto a concrete ledge and walked away. CM#1 followed by stepping onto the same concrete ledge.

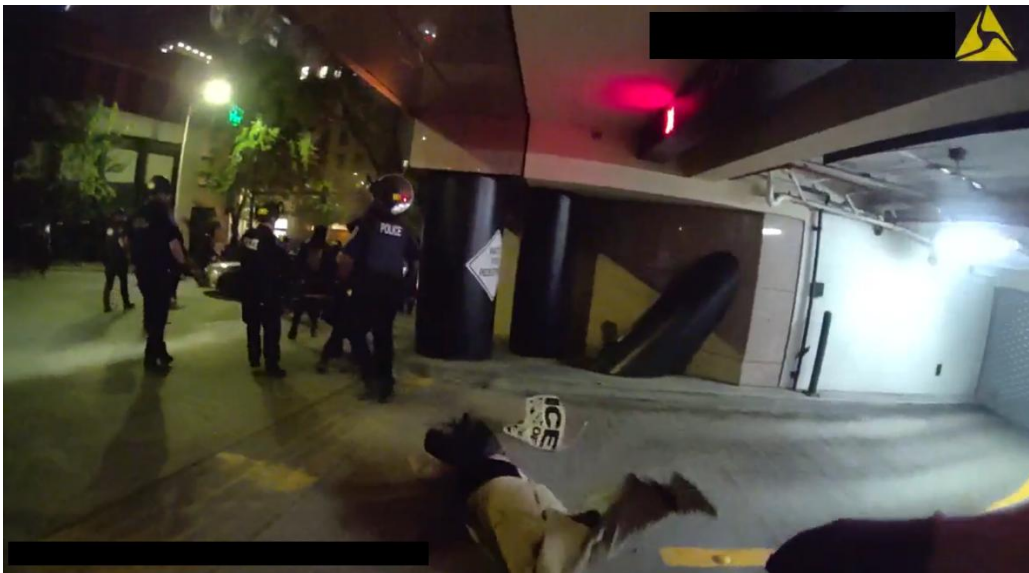


This image shows CM#1 moving, as NE#1 ordered. CM#1 walked on top of a concrete ledge.

As CM#1 moved past NE#1, NE#1 pushed CM#1's back, causing CM#1 to fall forward onto her stomach.



This image shows NE#1 pushing CM#1's back.



This image shows CM#1 falling onto her stomach after NE#1 pushed her from behind.

CM#1 voiced frustration at NE#1 and then stood and walked away.

After NE#1 and other officers reached an intersection, a dispersal order was issued to the crowd. A makeshift barricade and a flaming dumpster were on a crosswalk. NE#1 encountered CM#2 on a sidewalk and ordered her to move. CM#2 defied the order by shouting and swearing at NE#1. CM#2 then roamed the street while waving a flag.

Later, NE#1 and other officers formed a line on a different street, where protesters, including CM#2, had gathered, constructed makeshift barricades, and threw debris onto the street. One protester threw a lit object onto the street. The officers advanced toward the protesters and ordered them to "move back." The majority complied. However, CM#2 remained in her position and displayed a flag toward the officers. NE#1 used his baton to push CM#2, causing her to move backward. In

response, CM#2 shouted and swore at NE#1, who continually pushed CM#2 backward with his baton. While facing NE#1, CM#2 refused to move back unless pushed by NE#1. CM#2 raised her middle finger at another officer, after which a different officer sprayed oleoresin capicum at her. NE#1 continued advancing while shouting, "Move back!" CM#2 did not fully comply, as she slowly moved backward while displaying her flag toward the officers. An officer beside NE#1 pushed CM#2. NE#1 then pushed CM#2 with his baton, causing her to stumble over protest debris and fall. The officers continued advancing while ordering the protesters to move back. Following a second dispersal order, the officers eventually dispersed the crowd.

D. OPA Interview

On September 19, 2025, OPA interviewed NE#1. He explained the circumstances surrounding the protest consistent with the incident commander's use-of-force report. He said a dispersal order was issued once the protesters began throwing ignited fireworks at the officers, prompting the officers to order the protesters to move back. He said CM#1 and CM#3 were intentionally hiding beneath the building and did not move with the crowd. He speculated that they may have chosen to remain concealed to position themselves behind the line of officers. He said he ordered CM#1 and CM#3 to move, prompting them to stand and grab their belongings. He contested OPA's characterization of his action as a "push," claiming instead that he was "guiding" CM#1 away from the building. He denied using "purposeful force" to push CM#1 to the ground. He said CM#1 was actively leaving and not combative, so he was merely "guiding" her to "keep her moving." He believed his method of "guiding" CM#1 was objectively reasonable and necessary since she had initially disobeyed orders to move and intentionally concealed herself, so he was ensuring her departure. He believed CM#1 fell due to stumbling on a grade. He denied hearing complaints of pain.

Analysis and Conclusions:

Named Employee #1 – Allegation #1

8.200 – Using Force, 8.200-POL-1. Using Force: When Authorized

NE#1 allegedly used unauthorized force by pushing CM#1 and CM#2—both of whom fell.

Sworn employees will only use objectively reasonable, necessary, and proportional force to the threat or urgency of the situation to achieve a law enforcement objective while protecting the life and safety of all people. SPD Policy 8.200-POL-1. Reasonableness must consider that sworn employees are often forced to make split-second decisions about the amount of force necessary in a particular situation in tense, uncertain, dynamic, and rapidly evolving circumstances. *Id.* The question is whether the sworn employee's actions were objectively reasonable considering the facts and circumstances confronting them, without regard to their underlying intent or motivation. *Id.* Several factors should be weighed when evaluating reasonableness. *See id.* Force is necessary under the totality of the circumstances when there is no reasonably effective alternative to using physical or deadly force, and the type and amount of physical or deadly force used is a reasonable

and proportional response to effect the legal purpose intended or to protect against the threat posed to the sworn employee or others. SPD Policy 8.050 (effective September 1, 2024). Proportional force must reflect the totality of circumstances of the situation, including the nature and immediacy of any threats posed to sworn employees and others. *Id.* Sworn employees must rely on training, experience, and their assessment of the situation to decide an appropriate level of force. *Id.*

NE#1's push against CM#2 was lawful and proper under the circumstances. CM#2 stood her ground, shouted and swore at the officers, and displayed a flag toward them. NE#1's force was objectively reasonable and necessary to compel CM#2 to retreat, especially since she had defied repeated orders to move back. CM#2's compliance was necessary for maintaining scene security, especially after the protesters threw ignited fireworks at the officers, hurled protest debris either at the officers or onto the street, and set a dumpster ablaze. NE#1's force was proportional, low level, *de minimis*,¹ and nonreportable. It was also consistent with crowd control tactics. Notably, NE#1's force achieved his desired outcome—CM#2 continually moved backward. Accordingly, OPA recommends that the allegation concerning the force used against CM#2 be Not Sustained – Lawful and Proper (Expedited).

Additionally, OPA finds that NE#1's push against CM#1 was lawful and proper for the same reasons noted above. NE#1's force was objectively reasonable and necessary to ensure CM#1's departure, especially since she had defied repeated orders to retreat after a dispersal order was issued. Also, this occurred close in time to when the fireworks exploded near the officers and CM#1. Even when CM#1 was standing, she seemed to hesitate and move at a slow pace, prompting NE#1 to reissue his orders. Although NE#1 pushed CM#1's back once she finally appeared to be complying with his orders, this push seemed intended to further move her away from the building, as NE#1 explained. BWV showed NE#1 using *de minimis* force, which did not appear sufficiently forceful to indicate that he intended for her to fall. CM#1 seemingly lost her balance due to the height difference between the ground and the concrete ledge she stepped onto. Ultimately, NE#1's push was proportional, low level, *de minimis*, nonreportable, and seemingly intended to further move CM#1 along. Overall, a preponderance of the evidence showed NE#1 using objectively reasonable, necessary, and proportional *de minimis* force against CM#1 given the totality of the circumstances. Accordingly, OPA recommends that the allegation concerning the force used against CM#1 be Not Sustained – Lawful and Proper.

Recommended Finding: **Not Sustained – Lawful and Proper**

Footnote 1. *De minimis* force is an action meant to separate, guide, and/or control without using control techniques that are intended to, or are reasonably likely to, cause pain or injury. Examples include, but are not limited to, using hands or equipment to stop, push back, separate, or escort, and using compliance holds without using sufficient force to cause pain. SPD Policy 8.050 (effective September 1, 2024).