Seattle Office of Police Accountability

Closed Case Summary

Case Number:2025OPA-0377

Issued Date: August 12, 2026

From: Director Bonnie Glenn
Office of Police Accountability

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Allegations of Misconduct & Director's Findings

Named Employee #1

1. **Allegation #1: SPD policy 5.001 - Standards and Duties, 5.001-POL 14. Retaliation is Prohibited**
   Finding: Sustained
2. **Allegation #2: 5.001 - Standards and Duties POL-10. Employees Will Strive to be Professional**
   Finding: Sustained
3. **Allegation #3: 15.180 – Primary Investigations, 15.180-POL 1. Officers Shall Conduct a Thorough and Complete Search for Evidence**
   Finding: Not Sustained - Training Referral
4. **Allegation #4: 16.090-POL-2 Sworn Employees Recording Police Activity 2. When Sworn Employees Record Activity**
   Finding: Sustained

- **Proposed Discipline: Sixty-Three Hours (7 Days) to Ninety Hours (10 Days) Suspension**
  - **Imposed Discipline: Eighteen Hours (2 Days) Suspension**

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 two shoplifting incidents at a grocery store. The

Complainant alleged NE#1 failed to investigate the two incidents and allowed the suspects to leave without determining how much had been stolen. The Complainant alleged that, when store employees asked for a supervisor, NE#1 deactivated his body-worn video (BWV) and threatened not "to go down this path" or he would no longer respond to 911 calls from the store.

Administrative Note:

On February 11, 2026, the Office of Inspector General certified this investigation as thorough, timely, and objective.

Summary of the Investigation:

The Complainant emailed a complaint to OPA alleging that NE#1 responded to a shoplifting incident at a grocery store earlier that day. The Complainant wrote that NE#1 refused to assist with trespassing the shoplifters. The Complainant alleged that, when loss prevention requested a supervisor, NE#1 responded by turning off his BWV and threating to ensure that future calls to police from the grocery store would go unanswered. The Complainant provided contact information for three store witnesses (Security #1, Security #2, and Security #3), a still-frame photograph that appeared to be from security footage, and written statements from Security #2 and Security #3.

OPA reviewed the complaint documentation, computer-aided dispatch (CAD) call reports, incident report, BWV, and in-car video (ICV). OPA also interviewed the three store witnesses, an SPD Administrator, a Precinct Attorney, and NE#1. OPA did not interview the Complainant as he wrote the incident was only reported to him. OPA sought security video from the grocery store but was informed no video existed from the relevant area, a coffee shop inside the grocery store. OPA determined the still-frame photograph that was provided by email was from the grocery store itself. OPA reviewed this video provided by the store and determined it was of low evidentiary value.

On September 30, 2025, NE#1 responded to a reported shoplifter being detained by grocery store staff. NE#1 told this suspect he was not allowed on the property and released him. About twenty minutes later, NE#1 was flagged down by store security concerning another reported shoplifter. NE#1 took the suspect's ID, ran the suspect's name, advised store security the suspect was "clear," provided information to the suspect as to where he could access free food services, and told store security that they could trespass the suspect.

There was a disagreement about whether NE#1 had the authority to "trespass" the second suspect. Store security asked NE#1 to trespass the suspect. NE#1 stated he could not do so and asked store security to do it. NE#1 ultimately verbally trespassed the suspect and later completed a police report for theft. The suspect left, and NE#1 deactivated his BWV. Thereafter, NE#1 remained and continued to speak with Security #2 and Security #3.

Store Security Statements

Security #2 reported that, after NE#1 turned off his BWV, he asked NE#1 why he could not perform a trespass. He said NE#1 responded that SPD does not issue trespasses and this needed to be done through the store, but it would have the same legal effect. Security #2 said he requested a supervisor since this did not sound correct to him and no police action was taken regarding either shoplifting subject. Security #2 reported NE#1 responded, "You are wasting resources, you don't wanna go down this route. We do a lot for this store, if you go down this route, we won't be showing up anymore." Security #2 stated an SPD supervisor (Supervisor #1) responded and, later, NE#1 returned to apologize. Security #2 recalled NE#1 promising to show up for future calls. Security #2 stated Security #3 witnessed the interaction.

Security #3 corroborated Security #2's recollection of events. Security #3 stated he was writing a report at the time, so the conversation between NE#1 and Security #2 did not have his full attention. That said, Security #3 stated NE#1 turned off his BWV, told Security #2 he did not want to go down this path, and that the gist of the conversation was NE#1 threatening not to respond to the grocery store in the future. Security #3 described NE#1 as seeming annoyed.

Security #1 stated he only observed NE#1 exhibiting a corrective demeanor towards Security #2 and Security #3. Security #1 said he did not overhear the conversation between NE#1 and the other security officers. Security #1 said his information came from Security #2, but his recitation of events was consistent with what was reported to OPA.

City Witness Employees

OPA spoke with an SPD Precinct Administrator. She stated the grocery store signed up for the SPD "Trespass Program" on the day of the incident after Supervisor #1 completed the paperwork with them. The SPD Administrator described the paperwork as a "headache" requiring paper forms with no digital option. She also noted there are separate "trespass warning forms" that officers can fill out and enter into the case management system. She stated she receives about one or two of these forms per week and speculated it was possible some officers were not aware of these forms.

OPA interviewed a Precinct Attorney. He stated that "trespass" and "criminal trespass" are synonymous terms. He characterized the state of trespass programs and enforcement within Seattle as confusing and needlessly complicated. He stated that, for businesses not enrolled in the Trespass Warning Program, there was no difference between a business employee trespassing a person or an officer doing so on behalf of the business. In either case, the authority for the warning to make a future trespass a chargeable crime derives from the business, not the officer.

Named Employee #1

OPA interviewed NE#1 about seventy days after the incident and forty days after the classification notice was served on NE#1. NE#1 recalled the incident as follows. NE#1 stated he was working as a "proactive unit" on the day of the incident but volunteered to take the shoplifting call because no

one else was available. NE#1 described the first shoplifter as appearing high and fidgety. NE#1 said that, because he was alone, he prioritized removing the shoplifter quickly, noting that store security had already identified the suspect and recovered their property.

NE#1 described being contacted a second time by store security about a second shoplifter. NE#1 described this person as an elderly man who exhibited several health ailments. NE#1 said he helped the suspect sit down, identified him, ran his name, and gave him information about free food programs. NE#1 described this as consistent with his past practice at this store.

NE#1 described the store staff on the incident date as new employees. NE#1 said the store staff told him the second suspect shoplifted repeatedly and the staff requested NE#1 “do a formal trespass.” NE#1 said his usual practice was to record staff trespassing suspects and to document that. NE#1 stated he has since learned that there are SPD forms for trespassing individuals from stores, but he said he was not aware of this on the incident date. NE#1 said he verbally trespassed the second shoplifter.

NE#1 said an assistant manager asked to speak with his supervisor. NE#1 recalled, as he walked to his patrol vehicle, saying something like, “If this is the way officers are going to be treated, they’re not going to answer up to these calls.” NE#1 stated he did not remember his exact words. NE#1 denied saying this to anyone but himself but was unsure if store security was present when he said it. NE#1 described not truly meaning that officers would avoid the store, but out of frustration that he “volunteered . . . to help out” and now was being treated “like crap.”

NE#1 said he requested Supervisor #1 respond. NE#1 said the assistant manager accused him of turning off his BWV. NE#1 described doing this only after the suspect was released and he thought the incident was concluded. NE#1 said he reactivated his BWV after store security requested his supervisor.

NE#1 stated he did not remember making the comments about the request for a supervisor being a waste of resources, the request being a bad road to go down, or that police did a lot for the store and he would not show up if the store requested a supervisor. NE#1 could not definitively deny making those statements. NE#1 did not remember apologizing to staff but stated he had interactions later that were positive and which staff may have interpreted as an apology. NE#1 said he remembered shaking a staff member’s hand, but denied using some of the specific language Security #2 attributed to him.

Analysis and Conclusions:

Named Employee #1 – Allegation #1
SPD policy 5.001 - Standards and Duties, 5.001-POL 14. Retaliation is Prohibited

The Complainant alleged that NE#1 retaliated against the store for requesting a supervisor.

SPD policy precludes its employees from engaging in retaliation. *See* SPD Policy 5.001-POL-14. SPD employees are specifically prohibited from retaliating against a person who engages in activities including, but not limited to, criticizing an SPD employee, opposing any practice believed to be in violation of department policy, filing a complaint of misconduct, communicating an intent to engage in the aforementioned activities, or "who otherwise engages in lawful behavior." *Id*. Retaliatory acts are defined broadly under SPD's policy and include "discouragement, intimidation, coercion, or adverse action against any person. *Id*.

It is undisputed that NE#1 responded to Security #2's request for a supervisor by stating this would affect future police response. NE#1 recalled making a comment to the effect of, "If this is the way officers are going to be treated, they're not going to answer up to these calls." Even if this was all that was said, it arguably violated SPD's retaliation policy.

But OPA finds that, more likely than not, Security #2's recollection of events was closer to what occurred. This interaction was not recorded on BWV and OPA accepts that NE#1 may sincerely believe his recollection of events and statements to be accurate. But Security #2's recollection has remained consistent since the date of the incident and was corroborated by both Security #3 (who overheard the remarks) and Security #1 (who observed the relevant body language). Moreover, NE#1 expressed significant uncertainty about the details of this interaction and his statements. OPA finds, more likely than not, that NE#1 became frustrated by the store staff's lawful requests—either for a "formal" trespass warning or for an SPD supervisor—and responded with words substantially to the effect of, "You are wasting resources, you don't wanna go down this route. We do a lot for this store, if you go down this route, we won't be showing up anymore."

These facts alone would be sufficient for OPA to recommend a Sustained finding. But OPA also believes this finding is supported by NE#1's statements to OPA that reflect his intent and state of mind. On the date of incident, NE#1 was assigned as a proactive car, which he characterized as responsible to "go around to different places," "sit out in front of places to deter shoplifting, but we would not be there to actually do shoplift paperwork." Later, after store security requested he complete shoplifting paperwork and a supervisor response, NE#1 agreed he expressed frustration by saying "If this is the way officers are going to be treated, they're not going to answer up to these calls." NE#1 described making this statement as "beating myself up" because he "volunteered for this call, and now I'm getting treated like crap." OPA recognizes NE#1's frustration but fundamentally disagrees with his response. NE#1 is not a volunteer; he was fulfilling his basic job functions. Community members are permitted to criticize NE#1, offer opposing opinions on his response to a

call, or file a complaint with a supervisor. NE#1 is, under no circumstances, allowed to discourage community members from lawful behavior by suggesting police will no longer respond to their calls.

OPA spent a considerable amount of time analyzing whether NE#1's behavior—considered holistically—sounded more in retaliation (a genuine attempt to discourage, intimidate, coerce, or taking an adverse action) or professionalism (an expression of frustration that undermined public trust). OPA recognizes that, ultimately, NE#1 did summon Supervisor #1, who resolved the matter commendably, and responded to a call at that same store later the same day and, more likely than not, apologized to Security #2. But there was a notable period of time—based on NE#1's BWV, between 12:27pm and 12:37pm—after NE#1 deactivated his BWV in the coffee shop and before he reactivated it outside the grocery store. During this time, a manager (Security #1) had been called to the scene. Moreover, NE#1 only reactivated his BWV as he was walking away from the store and witnesses, ensuring his BWV captured no important context or conversation during the crucial ten-minute period. Relatedly, OPA observed that NE#1 stated in his interview that he did not remember most of the factual pieces that would be relevant to make a distinction between professionalism or retaliation. On the other side, Security #1 described NE#1's behavior as leaning in and taking a corrective demeanor. Security #2 said NE#1's words and actions caused him to think "whoa…that was a threat, that was crazy" and that "it was still pretty intense, in that situation I was requesting a supervisor and he tried to intimidate me." Security #3 described NE#1 as threatening not to come to the store's calls and "being really mean" to Security #2. Recognizing NE#1 may genuinely believe his recollection, OPA credits the consistent, documented, and corroborated recollections of the store employees. OPA finds that NE#1's behavior violated both the retaliation and professionalism policies and the facts do not recommend limiting the finding to a single policy, nor is OPA obligated to do so.

Accordingly, OPA recommends this allegation be Sustained.

Recommended Finding: **Sustained**

Named Employee #1 – Allegation #2
5.001 - Standards and Duties POL-10. Employees Will Strive to be Professional

The Complainant alleged that NE#1 undermined their trust in the department.

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.

For the reasons set forth in Allegations #1, #3, and #4 OPA recommends this allegation be Sustained.

Recommended Finding: **Sustained**

Named Employee #1 – Allegation #3
15.180 – Primary Investigations, 15.180-POL 1. Officers Shall Conduct a Thorough and Complete Search for Evidence

The Complainant alleged that NE#1 failed to conduct a thorough and complete search for evidence.

SPD Policy 15.180-POL-1 requires that, in primary investigations, officers conduct a thorough and complete search for evidence.

Here, NE#1 responded to two shoplifting complaints and issued verbal trespass admonishments when staff requested the suspects be trespassed. By the time of their release, both suspects had been identified and store security had sufficient information to file charges through the Retail Theft Program if they chose to do so. That said, NE#1 could have taken additional steps to investigate these crimes and store staff were unsatisfied with NE#1's apparent exercise of discretion in releasing both suspects with only trespass warnings. *See* SPD Polic 5.001-POL-6 (allowing and expecting officers to exercise reasonable discretion proportionate to the level of the criminal justice issue). Overall, OPA finds that store staff appeared most frustrated by NE#1's refusal to issue an SPD Trespass Warning Form to the second suspect. OPA credits NE#1's explanation that he was unfamiliar with this form at the time. That said, OPA finds that most if not all of this complaint could have been avoided if NE#1 had treated Security #2 and Security #3 with respect and avoided taking issue towards their—correct—belief that this form existed. Moreover, had NE#1 simply requested Supervisor #1 right away (or even called him) he could have been corrected and, again, likely avoided this entire complaint. NE#1 did not choose that path.

To the extent NE#1 failed to thoroughly investigate these incidents, OPA finds that this is a potential, but not willful, violation of policy resulting from his unfamiliarity with SPD Trespass Warning Forms. To the extent NE#1's attitude, approach, and unfamiliarity with the Trespass Warning Forms undermined the store staff's faith in NE#1, this is fully captured through the recommended Sustained findings for Allegation #2. Accordingly, OPA recommends this allegation be Not Sustained – Training Referral.

- **Training Referral:** NE#1's chain of command should discuss OPA's findings with NE#1, review SPD's trespass forms and programs with NE#1 and provide any further retraining and counseling that it deems appropriate. The retraining and counseling conducted should be documented in Blue Team.

Recommended Finding: **Not Sustained – Training Referral**

Named Employee #1 – Allegation #4
16.090-POL-2 Sworn Employees Recording Police Activity 2. When Sworn Employees Record Activity

The Complainant alleged that NE#1 failed to record police activity.

SPD Policy 16.090-POL-2(2) outlines the categories of police activity sworn employees are expected to record. When safe and feasible, sworn employees must record all dispatched calls, stops, arrests, criminal activity, and questioning of witnesses, among other things. SPD Policy 16.090-POL-2(2). Sworn employees are required to record the entire event to its conclusion unless specifically instructed otherwise by this manual. *Id.* An event is "concluded" when both (i) the sworn employee has completed their part of the active investigation, and (ii) there is little

possibility that the employee will have *further interaction with any person involved in the event*. SPD Policy 16.090-POL-9.

OPA recommends this allegation be Sustained. Even if, as he explained in his OPA interview, NE#1 momentarily felt the event was concluded after he released the second suspect, he should have recognized this was not the case when Security #2—a witness involved the event—requested a supervisor. That NE#1 left his BWV off for about ten minutes while he evidently continued to engage with store staff—who were expressing dissatisfaction with him and a desire to speak with his supervisor—and only reactivated it as he returned to his patrol vehicle violated policy. Moreover, the store witnesses in this case described being acutely aware that NE#1 had deactivated his BWV and referenced it specifically in their complaint. To the extent this also served to undermine public trust, that is captured in Allegation #2.

OPA recognizes that officers cannot be expected to perform perfectly with their BWV in every circumstance and, when appropriate, will recommend Training Referrals for understandable errors or first-time lapses. Under the circumstances here, OPA would recommend a Sustained finding regardless of whether the employee at issue had previous discipline or non-disciplinary training related to failing to activate his BWV. But that point is moot. NE#1 was disciplined for failing to activate his BWV and ICV when required in July of 2023.

Accordingly, OPA recommends this allegation be Sustained.

Recommended Finding: **Sustained**