

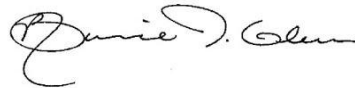
## Closed Case Summary

Case Number: 2020OPA-0519 – Part II

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**Issued Date:** February 3, 2026

**From:** Director Bonnie J. Glenn  
Office of Police Accountability



**Case Number:** 2020OPA-0519

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

#### **Named Employee #3**

1. **Allegation #1:** 8.100 - De-Escalation 1. When Safe, Feasible, and Without Compromising Law Enforcement Priorities, Officers Shall Use De-Escalation Tactics in Order to Reduce the Need for Force (eff. 09/15/2019)  
**Finding:** Not Sustained - Lawful and Proper
  2. **Allegation #2:** 8.200 - Using Force 1. Use of Force: When Authorized (eff. 06/19/2020)  
**Finding:** Not Sustained - Lawful and Proper
  3. **Allegation #3:** 8.200 - Using Force 4. Use of Deadly Force (eff. 06/19/2020)  
**Finding:** Not Sustained - Lawful and Proper
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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:**

It was alleged that Named Employee #3 (NE#3) may have failed to de-escalate prior to using force and that both the less-lethal and deadly force that NE#3 used towards the Subject may have been contrary to policy.

#### **Administrative Note:**

This DCM is the second of two parts. The first part was completed on March 19, 2021, and concerned the actions of two of three officers, Named Employee #1 (NE#1) and Named Employee #2 (NE#2). This DCM concerns the actions of NE#3. In the first part DCM, NE#3 was referred to as Second Involved Officer (SIO).

NE#3 left the employment of SPD during the pendency of this investigation and while the case was tolled. NE#3 did not respond to requests that he participate in an OPA interview. Given that the timeline for the third Named Employee was held in abeyance during the period he did not work at SPD and did not receive the protections of his collective bargaining agreement, OPA explicitly held the portions of the case concerning NE#3 open to allow for additional opportunities to interview him.

Around November 2025, OPA was informed that NE#3 was reapplying to SPD. OPA invited NE#3 to participate in a voluntary interview, and he agreed. OPA interviewed NE#3 on January 8, 2026. Thereafter, OPA resubmitted this investigation to the Office of Inspector General (OIG) for certification. On January 23, 2026, OIG certified this investigation as thorough, timely, and objective.

OPA fully incorporates the summary, analysis, conclusions, and recommended findings of the first part of this DCM. The two parts of this DCM should be considered together.

### **Summary of the Investigation:**

OPA interviewed NE#3 on January 8, 2026. NE#3's OPA statement was broadly consistent with the statement he provided to SPD's Force Investigation Team (FIT) on May 19, 2020, the date of the incident.

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### **Analysis and Conclusions:**

#### **Named Employee #3 – Allegation #1**

#### ***8.100 - De-Escalation 1. When Safe, Feasible, and Without Compromising Law Enforcement Priorities, Officers Shall Use De-Escalation Tactics in Order to Reduce the Need for Force (eff. 09/15/2019)***

It was alleged that NE#3 failed to use de-escalation tactics when it was safe and feasible to do so.

As discussed in the first part of this DCM, OPA found that there was a failure to de-escalate on NE#2's part. This was primarily based on NE#2's failure to apply time, distance, and shielding and his decision to, instead, stop his vehicle in the path of the Subject, exit his vehicle, and advance away from cover towards the Subject.

In evaluating NE#3's conduct, OPA focused on his decision to run towards the Subject, NE#1, and NE#2, as well as NE#3's decision to deploy his taser. NE#3—like NE#1—was presented with a limited set of options based on NE#2's decision to position himself on the sidewalk in the path of the Subject, who was believed to be armed with a knife. After this, there was no feasible opportunity to engage in meaningful tactical planning or create a contact team. Instead, NE#3, like NE#1, focused on providing backup to NE#2, who placed himself dangerously close to the Subject. NE#3 articulated his thought process in his FIT interview:

No, there, there wasn't a plan specifically discussed between us. Um, the, uh, the, the situation, the [Subject] moving away and approaching and the, uh, the K9 officer, we had to move up with him, get there, uh, so that, uh, he's not by himself and we're not in a great angle, either, if we did have to shot he's right there, uh, in our backdrop. So, it really, just, uh, limits what we can do, if he were to turn on us with a knife or if he were to start attacking the K9 officer.

Relatedly, NE#3 explained his use of a taser in terms of attempting to form a contact team and provide a less-lethal option. NE#3 stated in his OPA interview that his "goal of going up there is providing us that option," thinking that "he would go down to the ground, give us a chance to quickly get him into cuffs and under control." NE#3 described "getting into that mindset" of using "less lethal here, rather than going hand on or anything like that" because it gave the officers more distance.

OPA's review of the evidence showed that NE#3's conduct—like NE#1's—did not violate policy. NE#3's explanations of his conduct were supported by objective video evidence. NE#3 arrived on scene after both NE#2 and NE#1. NE#3 parked behind the Subject, not in his path. Because the Subject was going to make contact with NE#2 in a matter of seconds, NE#3 did not have a meaningful opportunity to engage in tactical planning. OPA notes that as the Subject began to speed up into a run, NE#3 loudly announced that he had a taser, providing a warning to the Subject and supporting his explanation that his intent was to serve as the "less lethal" member of a contact team. Additionally, like NE#1, OPA finds that the evidence supports the conclusion that NE#3's actions were functionally caused by NE#2's tactics and decision-making. Finally, OPA notes that a significant factor in finding NE#2 failed to de-escalate related to NE#2's flawed decision not to deploy his K-9 to do a direct take as a less-lethal tool. NE#3 made the opposite decision. NE#3 deployed his taser—the only less-lethal tool available to him—to take the "opportunity to stop him in a safe way that would, uh, result in, uh, you know, less injury for him."

Accordingly, OPA recommends this allegation be Not Sustained – Lawful and Proper.

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

### **Named Employee #3 – Allegation #2**

#### ***8.200 - Using Force 1. Use of Force: When Authorized (eff. 06/19/2020)***

It was alleged that NE#3 used unauthorized force, specifically by deploying his taser on the Subject.

NE#3's decision to deploy his taser at the Subject was in line with SPD policy in effect at the time as well as objectively reasonable, necessary, and proportional under the totality of circumstances here.

On the date of this incident, SPD Policy 8.300-POL-2(4) (eff. 09/15/2019) permitted officers to use a taser (i) when a subject causes an immediate threat of harm to any person; or (ii) when public safety interests dictate that a subject needs to be taken into custody and the level of resistance presented by the subject is either likely to cause injury to the officer or other force options would be likely to cause greater injury to the subject. Here, NE#3 had information from multiple 911 calls and at least one live witness that the Subject was armed with a knife and had been threatening

community members with it. NE#3 was aware that the Subject was not obeying police orders to stop and was, instead, attempting to flee while stating, “You’re going to have to kill me.” When NE#3 chose to deploy his taser, the Subject was running away from NE#2 and NE#3 but was still within about two to three yards of the officers. Under these circumstances, public safety interests required the Subject be placed in custody and the level of resistance posed by the Subject (non-compliant and armed with a knife) and other force options (K-9 direct take or lethal force) were likely to cause even greater injury to the Subject.

The force was also objectively reasonable, necessary, and proportional. The Subject was suspected of a serious, violent crime. The Subject was not compliant with verbal orders, was reasonably presumed to be armed, and stated officers would need to kill him. The Subject was actively attempting to escape, and NE#3 had only seconds to make a decision. The only other less-lethal resource available was the K-9 that NE#2 should have, but failed to, deploy. NE#3 was trained on the taser and already had it equipped in his hand. Given the Subject’s non-compliance with verbal commands and proximity to officers, there did not appear to be a reasonably effective alternative to the use of force and, as discussed, the type and amount of force was reasonable to attempt to stop the Subject. The use of the taser reflected the totality of the circumstances at hand, especially considering the nature of the threat posed by the Subject, who was armed with a knife, and governmental interest in taking the Subject into custody.

Accordingly, OPA recommends this allegation be Not Sustained – Lawful and Proper.

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

### **Named Employee #3 – Allegation #2**

#### ***8.200 - Using Force 4. Use of Deadly Force (eff. 06/19/2020)***

It was alleged that NE#3 used unauthorized deadly force by shooting his firearm at the Subject.

OPA’s analysis of NE#3’s decision to use lethal force on the Subject largely tracks its analysis finding that NE#2’s decision to use lethal force was Not Sustained. To the extent OPA previously found, with respect to NE#2, that this was “a very difficult allegation to evaluate,” the complicating factors are less present concerning NE#3. Specifically, OPA evaluated how NE#2’s failure to de-escalate affected the propriety of this decision to use lethal force. As analyzed above, NE#3 did not fail to de-escalate. To the contrary, in OPA’s opinion, NE#3 could not have predicted that, of the continuum of acts the Subject might engage in, the Subject would stop mid-run, turn around, and lunge towards NE#2 while slashing a knife. Moreover, once that occurred, NE#3 was allowed to act to prevent NE#2 and himself from being stabbed and potentially killed.

For the same reasons articulated in the first part of this DCM for NE#2, OPA finds that all elements that were then in effect for SPD Policy 8.200-POL-4 (eff. 09/15/2019) were met when NE#3 used lethal force. OPA finds NE#3’s use of deadly force to be lawful and proper.

Separately, OPA reiterates its original finding in the first part of this DCM that the tragic outcome of this case “very well could have been avoided and is one that nobody wants.” OPA issued a detailed Management Action Recommendation (MAR) concerning SPD’s response to subjects with knives.

See 2021COMP-0039. That MAR, issued on August 25, 2021, recommended significant changes to SPD training, a broad-scope survey of other agencies' tactics, research and testing on other non-lethal tools, and working towards the expectation that shooting such as this one not occur again. SPD responded to that MAR on June 22, 2022, noting the significant steps it took to address OPA's concerns and fully implement its recommendations.

Accordingly, OPA recommends this allegation be Not Sustained – Lawful and Proper.

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