



## CLOSED CASE SUMMARY

ISSUED DATE: FEBRUARY 1, 2025

FROM: INTERIM DIRECTOR BONNIE GLENN  
OFFICE OF POLICE ACCOUNTABILITY

CASE NUMBER: 2024OPA-0326

### Allegations of Misconduct & Director's Findings

#### Named Employee #1

Allegation(s):		Director's Findings
# 1	5.140 – Bias-Free Policing, 5.140-POL-2 Officers Will Not Engage in Bias-Based Policing	Not Sustained - Unfounded (Expedited)

*This Closed Case Summary (CCS) represents the opinion of the OPA Director regarding the misconduct alleged and therefore sections are 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), an apartment maintenance employee. The Complainant alleged that NE#1 exhibited bias by favoring CM#1.

### ADMINISTRATIVE NOTE:

This case 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 the named employee. As such, OPA did not interview the named employee in this case.

On September 5, 2024, OIG certified OPA's investigation as thorough, timely, and objective.

### SUMMARY OF INVESTIGATION:

OPA investigated the complaint by reviewing the computer-aided dispatch (CAD) call report, body-worn video (BWV), apartment videos, photographs, and incident and supplemental reports. The Complainant declined OPA's request for an interview.

On August 8, 2024, CAD call remarks noted that CM#1 pepper sprayed the Complainant in a parking garage. Dispatch also noted that the Complainant struck CM#1's truck with a pipe and pepper sprayed CM#1. BWV captured NE#1 interviewing the Complainant over the phone. She reported that CM#1 called her a "bitch" while she spat out of her car window during her exit from the parking garage. She said CM#1 attempted to assault her with a rod, so she grabbed her pepper spray but was unable to deploy it. She said CM#1 pepper sprayed her before she drove away. She expressed her belief that NE#1 was favoring CM#1 based on the nature of his questions, but NE#1 replied that he had not yet spoken with CM#1. Subsequently, NE#1 interviewed CM#1 in the parking garage. He reported that he called the Complainant a "bitch" as she drove past and spat at him. He said she returned and tried to pepper spray him, but it failed to deploy, leading him to pepper spray her in response. He said she exited her car, chased him with a rod,



caused damage to apartment property, and struck his windshield with it. NE#1 declined to arrest the Complainant for property damage.

Security video in the parking garage captured the Complainant inside her car, with CM#1 beside it. Both parties brandished rods and provoked one another. Each party tried pepper spraying the other party, but only CM#1 succeeded in deploying it. A photograph of CM#1's truck showed a smashed windshield.

**ANALYSIS AND CONCLUSIONS:**

**Named Employee #1 – Allegation #1**

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

The Complainant alleged that NE#1 exhibited bias by favoring CM#1.

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. 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.

While the Complainant perceived the nature of NE#1's questioning as being biased toward CM#1, OPA finds that it was intended to clarify the Complainant's version of the incident. Throughout the investigation, NE#1 exhibited no signs of bias. He interviewed the involved parties, photographed physical evidence, requested video footage, and documented an incident report detailing the investigation. Notably, considering the significant damage caused to CM#1's truck and the apartment property, NE#1 could have arrested the Complainant for felonious malicious mischief but chose not to do so. Overall, OPA found no evidence supporting the Complainant's claim that NE#1 exhibited bias toward CM#1.

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

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