



## CLOSED CASE SUMMARY

ISSUED DATE: FEBRUARY 13, 2025

FROM: INTERIM DIRECTOR BONNIE GLENN  
OFFICE OF POLICE ACCOUNTABILITY

CASE NUMBER: 2024OPA-0335

### 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
# 2	5.001 – Standards and Duties, 5.001-POL-10. Employees Will Strive to be Professional	Not Sustained - Unfounded

*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)—an SPD community service officer—permitted the Complainant and her boyfriend, Community Member #1 (CM#1), to reside in her home to assist them in regaining stability. The Complainant alleged that NE#1 unprofessionally threatened to file false police reports concerning her and CM#1. The Complainant also alleged that NE#1 exhibited racial bias, evidenced by NE#1's "street" talking.

#### ADMINISTRATIVE NOTE:

On January 14, 2025, the Office of Inspector General certified OPA's investigation as thorough, timely, and objective.

#### SUMMARY OF INVESTIGATION:

OPA reviewed the OPA complaint and text messages. OPA also interviewed the Complainant, CM#1, and NE#1.

On August 16, 2024, and September 5, 2024, OPA interviewed the Complainant. She said CM#1's father was NE#1's ex-boyfriend. She said she accepted NE#1's invitation to reside at NE#1's home while she and CM#1 sought to improve their situation. She said NE#1 initially provided her with life advice, but their relationship soured, leading to arguments in which NE#1 accused her of various wrongdoings. Some allegations included claims of domestic violence when the Complainant disagreed with NE#1 during phone conversations, as well as accusations that CM#1 had stolen her car keys and mail. She alleged that NE#1 exhibited racial bias by speaking in a "street" manner. She felt she was subjected to bias based on her Mexican heritage and tattoos. She also alleged that NE#1 threatened to file false reports to the Fircrest Police Department (FPD) regarding her and CM#1. She said NE#1 claimed that FPD would find her credible due to her employment with SPD.



On December 5, 2024, OPA interviewed CM#1, whose account aligned with the Complainant's. He believed NE#1 was argumentative and accusatory. He said NE#1 told him that she filed a police report about her missing car keys. He said he would submit text messages to OPA.

The text messages CM#1 submitted to OPA showed a group conversation involving the Complainant, CM#1, and NE#1. The exchange began on July 30, 2024, with the Complainant expressing remorse for her behavior and the pain she caused to both CM#1 and NE#1. She expressed gratitude to NE#1 for their supportive conversation. She requested an opportunity to amend her mistakes. In response, NE#1 characterized the Complainant and CM#1 as "hot heads" who were evading responsibility and directing their frustrations at each other "in the nastiest ways," disregarding the impact on those around them. NE#1 texted that such behavior was unacceptable in her home, particularly in the presence of her children. NE#1 texted that the Complainant and CM#1 were "trauma bonding" and emphasized that her home was an unsuitable place for them to resolve their issues. The Complainant acknowledged NE#1's position, recognizing the importance of providing a "safe healthy environment" for NE#1's children, and indicated her intent to find a shelter. NE#1 reaffirmed her decision as final, asserting that they needed to resolve their issues on their own. NE#1 provided resources for shelters.

The Complainant expressed dissatisfaction with NE#1's plan but highlighted the importance of securing stable housing to facilitate her job search and complete her citizenship documentation. NE#1 replied that her only obligation had been to provide a place for the Complainant and CM#1 to stay, which she did out of goodwill. NE#1 texted that she assisted the Complainant and CM#1 in getting them on their feet but emphasized that her ground rules at home were not being followed. The Complainant contested NE#1's messages, characterizing them as judgmental while acknowledging NE#1's right to her opinions. She texted that NE#1 was trying to portray herself positively. She declined NE#1's assistance and concluded, "I don't see you as a terrible person. I just see this as a terrible situation that was not handled correctly and that's OK."

On December 19, 2024, OPA interviewed NE#1. She said she knew the Complainant through CM#1, whom she had known since 2013. She said CM#1 requested assistance in helping the Complainant and himself secure stable housing, as they were experiencing difficulties with it. She said she was sympathetic to their situation and offered them temporary housing in her home but established rules for their stay since she had two children living with her. These rules included mutual respect and prohibited arguing. She said the Complainant had been arrested for violating a no-contact order but was later released. She said the Complainant expressed anger toward her and CM#1 for failing to pick her up, leading NE#1 to respond, "Look, you're not coming into my fucking house" by acting that way. She denied exhibiting bias in her statement, explaining that her frustration stemmed from the Complainant's emotional outburst following her release.

NE#1 said she provided the Complainant with resources to assist with her situation but felt that the Complainant did not value this assistance. She said she filed a police report with the FPD regarding her missing car keys and subsequently acquired a wheel lock to prevent her car from being stolen. She acknowledged communicating with CM#1 and the Complainant about her missing car keys but clarified that she did not threaten them with arrest or suggest that she would falsely report a crime. She denied ever presenting herself as an SPD officer.



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**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 racial bias, evidenced by NE#1's "street" talking.

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. It includes different treatment based on race. *See id.* 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.

NE#1's statement ("look, you're not coming into my fucking house") was not indicative of racial bias and was expressed in response to the Complainant's frustration. Although NE#1 acknowledged that her statement may have sounded "ghetto," such statement did not imply bias against the Complainant's Mexican heritage or tattoos. Moreover, CM#1's text messages did not show NE#1 using any racially biased language. Instead, they showed NE#1's decision to remove the Complainant from her home due to ongoing disputes between the Complainant and CM#1 in violation of NE#1's established ground rules. There was no evidence suggesting that NE#1's statements or actions reflected racial bias against the Complainant.

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

Recommended Finding: **Not Sustained – Unfounded**

**Named Employee #1 – Allegation #2**

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

The Complainant alleged that NE#1 unprofessionally threatened to file false police reports concerning her and CM#1.

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.*

This allegation is unfounded. NE#1 confirmed that she filed a police report with FPD due to her missing car keys, but she did not imply that CM#1 or the Complainant was involved in the disappearance of her keys. NE#1 also claimed that she did not threaten CM#1 or the Complainant with arrest, nor did she claim to be an SPD officer. The text messages CM#1 submitted to OPA corroborated NE#1's claim, as they contained no threats directed at CM#1 or the Complainant and did not indicate that NE#1 represented herself as an SPD officer. As noted above, the messages reflected a declining relationship that concluded on amicable terms, with the Complainant being asked to vacate NE#1's home to address personal matters.

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

Recommended Finding: **Not Sustained – Unfounded**