



## CLOSED CASE SUMMARY

ISSUED DATE: MARCH 10, 2025

FROM: INTERIM DIRECTOR BONNIE GLENN  
OFFICE OF POLICE ACCOUNTABILITY

CASE NUMBER: 2024OPA-0367

### 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

#### Named Employee #2

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:

The named employees (NE#1 and NE#2) responded to a call for service from the Complainant, who sought their assistance in serving a temporary domestic violence (DV) protection order and retrieving her son from Community Member #1 (CM#1), her former partner. The Complainant alleged that the named employees were unprofessional and biased by favoring CM#1.

### ADMINISTRATIVE NOTE:

During its intake investigation, OPA identified the named employees initially declining to serve the DV protection order due to a misunderstanding regarding the types of court orders they were required to serve. OPA sent the named employees' potential violation of SPD Policy 15.400-POL-4 (Officers Will Serve Court Orders) to their chain of command for Supervisor Action.<sup>1</sup>

On February 27, 2025, the Office of Inspector General certified OPA's investigation as thorough, timely, and objective.

<sup>1</sup> A Supervisor Action generally involves a minor policy violation or performance issue the employee's supervisor addresses through training, communication, or coaching. See OPA Internal Operations and Training Manual section 5.4(B)(ii).



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**SUMMARY OF INVESTIGATION:**

**A. OPA Complaint**

On September 16, 2024, the Complainant submitted an OPA complaint describing the following incident. She contacted SPD for assistance in serving a DV protection order and regaining custody of her son, who was listed in the order. Upon the named employees' arrival at her location, they told her that they were loaned out for the day, that her situation fell outside their expertise, that serving court orders was not a part of their duties, and that they could not intervene if the other party refused to open the door. She insisted that the order be served but was then instructed to return to CM#1's house to retrieve her son from the person against whom she had a protection order. She alleged that the named employees were unprofessional and biased by favoring CM#1.

OPA investigated the complaint by reviewing the computer-aided dispatch (CAD) call report, body-worn video (BWV), and incident report. OPA also interviewed the Complainant and named employees.

**B. Computer-Aided Dispatch (CAD) Call Report**

On September 13, 2024, at 5:06 PM, CAD call remarks noted, "FATHER OF [REPORTING PARTY'S] CHILDREN TOOK CHILDREN 8/30/24 AND IS REFUSING TO GIVE THEM BACK, PARENTING PLAN HAS BEEN FILED BUT NOT APPROVED. [REPORTING PARTY] HAS PROTECTION ORDER AGAINST FATHER. NO [WEAPONS]." Additionally, "Custodial Interference – DV" was coded into CAD.

**C. Body-Worn Video (BWV)<sup>2</sup>**

BWV captured the following:

The named employees approached the Complainant, who stood on a sidewalk while holding documents. She claimed CM#1 committed DV against her, took their son, and refused to return him. She requested the named employees to serve the documents to CM#1. NE#1 countered that the county serves them. NE#2 suggested she contact SPD's DV Unit. NE#1 clarified that SPD did not serve civil documents, to which she replied that she had not requested him to serve civil documents. She said the court instructed her to provide the documents to the police so the police could facilitate her son's return. NE#1 said they would review the documents but would not serve them. Visibly frustrated, she declined to speak with NE#1 due to his insensitivity in a serious matter. NE#1 stepped away.

NE#2 reviewed the documents and asked about the protection order. The Complainant showed NE#2 the documents and requested NE#2 to refrain from unstapling them, as doing so would render them invalid. NE#2 replied that this was not how the process worked. As NE#2 continued to review the documents, he identified the matter as a civil protection order and then asked about her request. She said she wanted her son returned. NE#2 said he was unable to fulfill her request, as the documents were a protection order rather than a custody order. She pointed out that her son was mentioned in the protection order, prompting NE#2 to review the documents again. NE#2 said they would attempt to contact CM#1 at his house, but if there was no response, they would be unable to proceed further. She reiterated that the court instructed her to provide the documents to the police so the police could serve them to CM#1, enabling her to reclaim her son. She told NE#2 that he did not understand the situation, to which NE#2 agreed,

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<sup>2</sup> NE#1 prepared an incident report, which was consistent with BWV observations.



noting that they were unfamiliar with the area and operating under a temporary assignment. NE#2 said they would visit CM#1's house and attempt to retrieve her son voluntarily.

NE#2 took the documents with him and, along with NE#1, returned to their patrol car. NE#1 and NE#2 reviewed the documentation together and determined there was a protection order in the system regarding the child and Complainant that had just been issued. They deliberated over the documents and ultimately concluded that they were a temporary protection order intended for CM#1 by a court. They also discussed achieving voluntary compliance in retrieving the son without entering CM#1's house. NE#2 drove to CM#1's house, knocked on the door, and identified himself. CM#1 partially opened the door. NE#2 informed CM#1 that they were serving a protection order and then presented the documents to him. NE#2 also said they were required to return the son to the Complainant, as required by the court order. CM#1 reviewed the documents and raised questions. NE#2 apologized and reiterated his lack of discretion due to the court order but assured CM#1 that he would prepare an incident report relaying information provided by CM#1 in his report. Furthermore, NE#2 stated, "... We will for sure put that [in the report] because we want [to] document both sides. Right, because we don't know, like, because we're, our job is, we have. We have no idea what you guys are going through." CM#1 said the Complainant was withdrawing their son from daycare, which cost him \$3,450 per month. CM#1 also claimed that the Complainant would injure herself, photograph it, and accuse him of assault. CM#1 said he would retrieve his son and then closed the door. The named employees discussed the transfer of the son, with NE#2 noting in that conversation that officers typically receive official documents, but not from "some angry lady."<sup>3</sup>

CM#1 reopened the door while carrying his son and requested the Complainant to take their son from him. NE#2 advised CM#1 to refrain from any interaction with the Complainant and to report any contact she has with him. CM#1 expressed his disbelief that a court ruled in favor of the Complainant. NE#2 remarked that courts typically side with mothers in such cases. CM#1 said his son would cry when the Complainant takes him and claimed that a scar on his son's forehead was sustained at her residence. NE#2 apologized, emphasizing that the court mandated this decision. NE#2 approached the Complainant and informed her that CM#1 would be handing their son over, while cautioning her against any contact with CM#1. NE#2 and the Complainant then proceeded to CM#1, where the Complainant took their son from CM#1, prompting their son to cry. She then left with their son. NE#2 told CM#1 that they would document the incident. NE#1 advised CM#1 to resolve the matter in court. The named employees concluded their interaction with CM#1.

The named employees proceeded to the street and encountered the Complainant's friend, who apologized on the Complainant's behalf for being "snappy." The named employees approached the friend's car, where the Complainant and her son were seated in the back. NE#2 handed her a business card and conveyed that CM#1 stated was incurring financial losses for daycare for their son and that daycare was paid for. NE#1 indicated that if she wished to take her son there, she was welcome to do so. The Complainant responded that she was unaware of the daycare's location. NE#2 then reminded her of her upcoming court date, after which the named employees concluded their interaction with her.

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<sup>3</sup> NE#1 and NE#2 had a conversation between themselves, outside the presence of others.



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**D. OPA Interviews**

Complainant

On September 25, 2024, OPA interviewed the Complainant. She described the interaction with the named employees as unprofessional, particularly as she was simply following court instructions. She said she was mostly distressed when she was compelled to physically retrieve her son from a person against whom she had a protection order, which left her feeling unsafe and vulnerable. She said she was taken aback by the named employees' comments regarding CM#1's financial contributions to daycare, emphasizing that they were unaware of her situation. She perceived their actions as biased, favoring CM#1 while portraying her as a bitter person.

Named Employee #1

On December 16, 2024, OPA interviewed NE#1. He recalled that he responded to a child custody call, not a protection order service call. He said the Complainant appeared upset and demanding upon contact, insisting that the protection order be served. He said he tried to de-escalate the situation by clarifying SPD's service process, but his explanation was not well received. He said he stepped away to further de-escalate. He said they decided to facilitate the child transfer, despite his uncertainty about whether they had a complete packet for service. He believed he was meant to hand the son over to the Complainant, although he was unsure why this did not occur. He recalled that both parties expressed frustration with the interaction and the overall process.

Named Employee #2

On December 16, 2024, OPA interviewed NE#2. He recalled that he responded to a DV-related call but did not expect to serve a DV protection order. He said the Complainant became angry at NE#1 when he explained SPD's process for receiving and serving DV protection orders, so NE#2 intervened to de-escalate the encounter. He said he was unfamiliar with either party and sought to be fair to both sides. He expressed no preference regarding the child transfer method, emphasizing his desire to prevent any escalation of the situation. He said he would have facilitated the transfer to her if she had been unwilling to do so herself. He said he told the Complainant about CM#1's financial investment to their son's daycare to communicate CM#1's feelings of distress.

**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 the named employees were biased 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.

This allegation is unfounded. There was insufficient evidence of bias based on a discernible personal characteristic. Despite the named employees' uncertainty about the documents the Complainant held, they sought to assist her by attempting to gain CM#1's voluntary compliance in transferring their son to her. Although NE#2 described the Complainant as an "angry lady," and the named employees may have appeared to side with CM#1, such actions alone



did not constitute bias, as defined under SPD policy. Overall, OPA found insufficient evidence supporting the Complainant's claim of biased-based mistreatment.

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 the named employees were unprofessional.

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.* Employees will avoid unnecessary escalation of events, even if those events do not end in reportable uses of force. *Id.* Any time employees represent the Department or identify themselves as police officers or Department employees, they will not use profanity directed as an insult or any language that is derogatory, contemptuous, or disrespectful toward anyone. *Id.*

OPA found that the named employees' overall encounter with the Complainant was not unprofessional. Although she perceived their initial refusal to serve the protection order as unprofessional, they communicated what they knew about SPD's service process, including their belief that she needed to contact the county or SPD's DV Unit. The named employees recognized her frustration and subsequently de-escalated the situation when necessary. NE#2 dedicated considerable time reviewing the documents and clarifying them with her. Ultimately, the named employees aimed to assist her by facilitating a voluntary transfer of her son.

CM#1 consented to a voluntary transfer. The named employees emphasized their obligation to abide by a court order and provided CM#1 with guidance, including advising him to document any contact attempts from the Complainant, consider legal action, and consider a protection order against the Complainant. While this may have suggested a bias toward CM#1, SPD officers customarily offer recommendations to individuals involved in DV disputes. The named employees' actions were consistent with that practice. Moreover, OPA found that NE#2's remark referring to the Complainant as an “angry lady” did not violate SPD's professionalism standards, as it was not directed at her and was not derogatory, contemptuous, but rather reflected his observations.<sup>4</sup>

However, the Complainant expressed distress about retrieving her son directly from CM#1. The named employees only consulted with CM#1 about the transfer method and did not seek the Complainant's input. They should have recognized that she was the protected party under the DV protection order, so her input about the transfer method should have been considered. Ultimately, the named employees advised both parties to avoid any contact with one another and aimed for a swift and amicable transfer. While OPA does not view this oversight as misconduct, based on the totality of these circumstances, OPA advises the named employees to ensure that both parties are consulted before executing any future transfers.

Finally, the named employees informed the Complainant about CM#1's payment of their son's daycare. CM#1 expressed distress about incurring financial loss for daycare costs. NE#1 indicated that she could take their son, to

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<sup>4</sup> It is noted that the Complainant was also described as “snappy” on that day by a friend.



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daycare, as CM#1 said it had been paid for. The named employees' communication appeared to be intended solely for informational purposes as an option to consider. However, There was no indication that this action was unprofessional.

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

Recommended Finding: **Not Sustained – Unfounded**

**Named Employee #2 – Allegation #1**

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

For the reasons articulated in Named Employee #1 – Allegation #1, OPA recommends this allegation be Not Sustained – Unfounded.

Recommended Finding: **Not Sustained – Unfounded**

**Named Employee #2 – Allegation #2**

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

For the reasons articulated in Named Employee #1 – Allegation #2, OPA recommends this allegation be Not Sustained – Unfounded.

Recommended Finding: **Not Sustained – Unfounded**