



CLOSED CASE SUMMARY

ISSUED DATE: MARCH 31, 2025

FROM: INTERIM DEPUTY DIRECTOR NELSON R. LEESE (ON BEHALF OF INTERIM DIRECTOR BONNIE GLENN)
OFFICE OF POLICE ACCOUNTABILITY

CASE NUMBER: 2024OPA-0426

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)
# 2	5.001 – Standards and Duties, 5.001-POL-10. Employees Will Strive to be Professional	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) conducted a traffic stop on the Complainant for a left-hand turn lane violation and speeding in a school zone. The Complainant alleged that NE#1 was racially biased and unprofessional toward him.

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 recommended findings based solely on its intake investigation without interviewing the named employee. As such, OPA did not interview the named employee in this case.

On December 10, 2024, OIG certified OPA's investigation as thorough, timely, and objective.

SUMMARY OF INVESTIGATION:

OPA investigated the complaint by reviewing the body-worn video (BWV) and infraction. OPA also interviewed the Complainant.

On November 6, 2024, BWV captured NE#1 conducting a traffic stop on the Complainant. NE#1 told the Complainant that the traffic stop was for entering a turn lane to overtake another vehicle and exceeding the speed limit in a school zone. The Complainant expressed uncertainty about the turn lane violation and mentioned that he was on his way to an appointment. He provided NE#1 with his driver's license, vehicle registration, and insurance documentation. NE#1 printed an infraction in his patrol vehicle and then returned to the Complainant, who acknowledged driving in the middle lane but disputed the speeding allegation. NE#1 presented the citation to the Complainant and explained that it included the two violations, along with NE#1's name and badge number. NE#1 then concluded the traffic stop.



The Complainant told OPA that he felt NE#1 frequently interrupted him and was passively aggressive and condescending. He also believed that NE#1 racially profiled him.

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 was racially biased.

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 documented the Complainant's race as Black in the infraction. The Complainant stated in his complaint that he was Native American. Although NE#1's perception of the Complainant's race as Black appeared reasonable based on OPA's BWV observations, the Complainant's race—even if misperceived by NE#1¹—did not impact NE#1's decision to conduct the traffic stop. Upon contacting the Complainant, NE#1 promptly explained the reasons for the traffic stop, citing two specific traffic violations. Overall, OPA found no evidence supporting the Complainant's interpretation of race-based mistreatment.

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

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

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 was 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.*

NE#1's interaction with the Complainant was brief, not unprofessional. NE#1 identified himself, clarified the reasons for the traffic stop, and provided his name and badge number. Although NE#1's replies were succinct and direct, they were professional throughout the encounter.

¹ SPD officers writing traffic citations are required under policy to complete all fields on a traffic citation and, if necessary, use the “perceived” race, ethnicity, age, and gender of the subject to complete the form. SPD Policy 16.230-POL-2(5).



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

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