



CLOSED CASE SUMMARY

ISSUED DATE: APRIL 27, 2025

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

CASE NUMBER: 2024OPA-0448

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 a trespass call at a health clinic, during which Community Member #1 (CM#1) was removed from the building. CM#1 alleged that NE#1 was racially biased 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 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 January 9, 2025, 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), and incident report. OPA was unable to reach CM#1 for an interview.

On November 27, 2024, CAD call remarks noted a caller requesting a suspect be trespassed for refusing to leave a health clinic. BWV captured NE#1 responding to the health clinic, where an employee reported that CM#1, a patient, had become verbally aggressive and refused to leave upon request. The employee said she wanted CM#1 removed but did not want him trespassed, as he could return on another day if he did not escalate. NE#1 instructed CM#1 to leave and warned him about an arrest for trespassing should he refuse. When CM#1 continued to refuse to leave, NE#1 removed CM#1's bags, which were on the ground, from the building, prompting CM#1 to follow and exit.¹ A

¹ In explaining the rationale for grabbing CM#1's bags, NE#1's incident report stated, "In an effort to gain compliance without using physical force, I grabbed [CM#1's] bags that were lying on the ground next to him and walked them out of the building while asking him again to leave. This was a non-physical tactic I've used several times with a 100% success rate and today was no different."



sergeant subsequently arrived and screened the incident, during which CM#1 alleged that NE#1 was racially biased toward 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

CM#1 alleged that NE#1 was racially biased toward him.

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 personal characteristics. *See* SPD Policy 5.140-POL-2.

NE#1 instructed CM#1 to exit the building at the clinic’s request due to his verbal aggression. NE#1 offered CM#1 multiple opportunities to leave voluntarily and warned him about an arrest should he refuse. When CM#1 remained noncompliant, NE#1 used a tactic that he claimed had a high success rate and eliminated the need to apply force. This tactic was effective, leading to CM#1’s voluntary exit from the building. NE#1 also provided his business card and called for a sergeant to the scene in response to CM#1’s request. Overall, OPA found no evidence to support the Complainant’s interpretation of race-based mistreatment.

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

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