



CLOSED CASE SUMMARY

ISSUED DATE: MAY 30, 2025

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

CASE NUMBER: 2025OPA-0007

Allegations of Misconduct & Director's Findings

Named Employee #1

Allegation(s):		Director's Findings
# 1	66.220 – Voluntary Contacts, Terry Stops, and Detentions, 6.220-POL-2 Conducting a Terry Stop, 1. Terry Stops are Seizures Based Upon Reasonable Suspicion	Not Sustained - Lawful and Proper (Expedited)
# 2	5.001 – Standards and Duties, 5.001-POL-10. Employees Will Strive to be Professional	Not Sustained - Unfounded (Expedited)
# 3	5.140 – Bias-Free Policing, 5.140-POL-2. Officers Will Not Engage in Bias-Based Policing	Not Sustained - Unfounded (Expedited)
# 4	8.200 – Using Force, 8.200-POL-1. Using Force: When Authorized	Not Sustained - Unfounded (Expedited)

Named Employee #2

Allegation(s):		Director's Findings
# 1	6.220 – Voluntary Contacts, Terry Stops, and Detentions, 6.220-POL-2 Conducting a Terry Stop, 1. Terry Stops are Seizures Based Upon Reasonable Suspicion	Not Sustained - Lawful and Proper (Expedited)
# 2	5.001 – Standards and Duties, 5.001-POL-10. Employees Will Strive to be Professional	Not Sustained - Unfounded (Expedited)
# 3	5.140 – Bias-Free Policing, 5.140-POL-2. Officers Will Not Engage in Bias-Based Policing	Not Sustained - Unfounded (Expedited)
# 4	8.200 – Using Force, 8.200-POL-1. Using Force: When Authorized	Not Sustained - Unfounded (Expedited)

Named Employee #3

Allegation(s):		Director's Findings
# 1	6.220 – Voluntary Contacts, Terry Stops, and Detentions, 6.220-POL-2 Conducting a Terry Stop, 1. Terry Stops are Seizures Based Upon Reasonable Suspicion	Not Sustained - Lawful and Proper (Expedited)
# 2	5.001 – Standards and Duties, 5.001-POL-10. Employees Will Strive to be Professional	Not Sustained - Unfounded (Expedited)
# 3	5.140 – Bias-Free Policing, 5.140-POL-2. Officers Will Not Engage in Bias-Based Policing	Not Sustained - Unfounded (Expedited)
# 4	8.200 – Using Force, 8.200-POL-1. Using Force: When Authorized	Not Sustained - Unfounded (Expedited)



Named Employee #4

Allegation(s):		Director's Findings
# 1	6.220 – Voluntary Contacts, Terry Stops, and Detentions, 6.220-POL-2 Conducting a Terry Stop, 1. Terry Stops are Seizures Based Upon Reasonable Suspicion	Not Sustained - Lawful and Proper (Expedited)
# 2	5.001 – Standards and Duties, 5.001-POL-10. Employees Will Strive to be Professional	Not Sustained - Unfounded (Expedited)
# 3	5.140 – Bias-Free Policing, 5.140-POL-2. Officers Will Not Engage in Bias-Based Policing	Not Sustained - Unfounded (Expedited)
# 4	8.200 – Using Force, 8.200-POL-1. Using Force: When Authorized	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:

The named employees (NE#1 through NE#4) executed a felony vehicle stop on Community Member #1's (CM#1) van, which was suspected of being involved in a robbery. The Complainant, CM#1's daughter, alleged that the named employees lacked reasonable suspicion to detain CM#1, acted unprofessionally by humiliating him, exhibited racial bias against him, and applied unauthorized force by aggressively grabbing and handcuffing 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 employees. As such, OPA did not interview the named employees in this case.

On February 7, 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 police reports. OPA also interviewed the Complainant.

On January 3, 2025, CAD call remarks noted a vehicle ramming into a building to facilitate a robbery. CAD also noted a reporting party observing two Asian males with guns. CAD described the suspect vehicle as a white utility van with black racks on the roof, two rear windows, damage to the rear, and a rear door that cannot close.

BWV captured the following events. NE#3 operated his patrol vehicle and radioed two possible Asian male suspects in a white utility van with a ladder on the roof and a door that was slightly ajar. NE#3 executed a traffic stop on the van and awaited backing officers.



Backing officers—including NE#1, NE#2, and NE#4—arrived and executed a high-risk vehicle stop. With their weapons and less-lethal tools drawn, officers instructed four passengers—two of whom were Asian and two Latino—to exit the van with their hands raised, which they did. NE#2 and NE#4 each took hold of one of CM#1’s arms and secured them behind his back, after which NE#1 handcuffed him. NE#1, NE#2, and NE#4 escorted CM#1 to the rear of a patrol vehicle, where CM#1 denied any wrongdoing. CM#1, along with the passengers, reported to the police that they were headed to perform a cleaning job at a kitchen. NE#4 explained the circumstances of the robbery call and the reason for the detainment, citing CM#1’s van resembling the suspect’s van. While NE#1 and NE#4 each held one of CM#1’s arms, NE#2 checked CM#1’s driver’s license. A witness to the robbery arrived and told the police that neither CM#1 nor the van matched the suspect or the suspect’s van. Following this, NE#1 uncuffed CM#1. NE#4 then handed CM#1 a business card and apologized for the detainment.

ANALYSIS AND CONCLUSIONS:

Named Employee #1 – Allegation #1

6.220 – Voluntary Contacts, Terry Stops, and Detentions, 6.220-POL-2 Conducting a Terry Stop, 1. Terry Stops are Seizures Based Upon Reasonable Suspicion

The Complainant alleged that the named employees lacked reasonable suspicion to detain CM#1.

Terry stops are seizures of an individual and, as such, must be based on reasonable suspicion to be lawful. SPD Policy 6.220-POL-2(1). A Terry stop is a brief, minimally intrusive seizure of a subject based on reasonable articulable suspicion to investigate possible criminal activity. SPD Policy 6.220-POL-1. Reasonable suspicion means specific, objective, articulable facts, which, taken together with rational inferences, would create a well-founded suspicion that there is a substantial possibility that a subject has engaged, is engaging, or is about to engage in criminal conduct. Id. The reasonableness of a Terry stop is based on the totality of the circumstances, the officer’s training and experience, and what the officer knew before the stop. Id. While information learned during the stop can lead to additional reasonable suspicion or probable cause that a crime has occurred, it cannot justify the original stop. Id.

The named employees had reasonable suspicion to detain CM#1. CM#1’s van resembled the suspect van, as witnesses described to the police. Specifically, CM#1 operated a white utility van that featured two rear windows and minor rear



damage. Witnesses also reported observing Asian male suspects, and two Asian males were riding in CM#1's van. The named employees were responding to a robbery call late at night when only a few vehicles were on the road. Thus, the totality of the circumstances at that moment suggested a well-founded suspicion of a substantial possibility of criminal conduct. Following a brief investigation, including a show-up, their reasonable suspicion was dispelled.

Accordingly, OPA recommends that this allegation be Not Sustained – Lawful and Proper (Expedited).

Recommended Finding: **Not Sustained – Lawful and Proper (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 the named employees acted unprofessionally by humiliating 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.* 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.*

This allegation is unfounded. BWV captured the named employees, especially NE#4, being courteous toward CM#1. NE#4 explained the reason for the detainment and assured CM#1 that officers would resolve the matter. Once reasonable suspicion was dispelled, CM#1 was immediately released. NE#4 handed CM#1 a business card and apologized for the incident. CM#1 was also offered the opportunity to speak with a supervisor on scene. No named employee humiliated CM#1 or used any derogatory, contemptuous, or disrespectful language toward him.

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

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

Named Employee #1 – Allegation #3

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

The Complainant alleged that the named employees exhibited racial bias against 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. 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.

This allegation is unfounded for the reasons articulated in Named Employee #1 – Allegation #1. As noted above, the named employees detained CM#1 based on a reasonable suspicion that the van was involved in a robbery. The named employees appropriately considered CM#1's race only as part of a specific suspect description—a consideration



permissible under SPD policy. See SPD Policy 5.140-POL-3 (allowing officers to consider race in establishing reasonable suspicion or probable cause only when it is “part of a specific suspect description based on trustworthy and relevant information that links a specific person to a particular unlawful incident”). Aside from this permissible racial consideration, OPA found no evidence showing that race impacted the named employees’ decisions or actions.

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

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

Named Employee #1 – Allegation #4

8.200 – Using Force, 8.200-POL-1. Using Force: When Authorized

The Complainant alleged that the named employees applied unauthorized force by aggressively grabbing and handcuffing CM#1.

Sworn employees will only use objectively reasonable, necessary, and proportional force to the threat or urgency of the situation to achieve a law enforcement objective while protecting the life and safety of all people. SPD Policy 8.200(1). Reasonableness must consider that sworn employees are often forced to make split-second decisions about the amount of force necessary in a particular situation in tense, uncertain, dynamic, and rapidly evolving circumstances. *Id.* The question is whether the sworn employee’s actions were objectively reasonable considering the facts and circumstances confronting them, without regard to their underlying intent or motivation. *Id.* Several factors should be weighed when evaluating reasonableness. See *id.* Force is necessary under the totality of the circumstances when there is no reasonably effective alternative to using physical or deadly force, and the type and amount of physical or deadly force used is a reasonable and proportional response to effect the legal purpose intended or to protect against the threat posed to the sworn employee or others. SPD Policy 8.050. Proportional force must reflect the totality of circumstances of the situation, including the nature and immediacy of any threats posed to sworn employees and others. *Id.* Sworn employees must rely on training, experience, and their assessment of the situation to decide an appropriate level of force. *Id.*

This allegation is unfounded. BWV captured NE#1, NE#2, and NE#4 applying, at most, *de minimis* force¹ to handcuff CM#1 and escort him to a patrol vehicle. BWV also captured NE#1, NE#2, and NE#4 holding CM#1’s arms at various times throughout their interaction. The named employees did not exhibit aggressive behavior. NE#3 also did not appear to physically contact CM#1 throughout the detainment.

Because no reportable force was used against CM#1, OPA recommends that this allegation be Not Sustained – Unfounded (Expedited).

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

¹ *De minimis* force is an action meant to separate, guide, and/or control without using control techniques that are intended to, or are reasonably likely to, cause pain or injury. Examples include, but are not limited to, using hands or equipment to stop, push back, separate, or escort, and using compliance holds without using sufficient force to cause pain. SPD Policy 8.050.



Named Employee #2 – Allegation #1

6.220 – Voluntary Contacts, Terry Stops, and Detentions, 6.220-POL-2 Conducting a Terry Stop, 1. Terry Stops are Seizures Based Upon Reasonable Suspicion

For the reasons articulated in Named Employee #1 – Allegation #1, OPA recommends that this allegation be Not Sustained – Lawful and Proper (Expedited).

Recommended Finding: **Not Sustained – Lawful and Proper (Expedited)**

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 that this allegation be Not Sustained – Unfounded (Expedited).

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

Named Employee #2 – Allegation #3

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

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

Named Employee #2 – Allegation #4

8.200 – Using Force, 8.200-POL-1. Using Force: When Authorized

For the reasons articulated in Named Employee #1 – Allegation #4, OPA recommends that this allegation be Not Sustained – Unfounded (Expedited).

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

Named Employee #3 – Allegation #1

6.220 – Voluntary Contacts, Terry Stops, and Detentions, 6.220-POL-2 Conducting a Terry Stop, 1. Terry Stops are Seizures Based Upon Reasonable Suspicion

For the reasons articulated in Named Employee #1 – Allegation #1, OPA recommends that this allegation be Not Sustained – Lawful and Proper (Expedited).

Recommended Finding: **Not Sustained – Lawful and Proper (Expedited)**



Named Employee #3 – 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 that this allegation be Not Sustained – Unfounded (Expedited).

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

Named Employee #3 – Allegation #3

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

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

Named Employee #3 – Allegation #4

8.200 – Using Force, 8.200-POL-1. Using Force: When Authorized

For the reasons articulated in Named Employee #1 – Allegation #4, OPA recommends that this allegation be Not Sustained – Unfounded (Expedited).

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

Named Employee #4 – Allegation #1

6.220 – Voluntary Contacts, Terry Stops, and Detentions, 6.220-POL-2 Conducting a Terry Stop, 1. Terry Stops are Seizures Based Upon Reasonable Suspicion

For the reasons articulated in Named Employee #1 – Allegation #1, OPA recommends that this allegation be Not Sustained – Lawful and Proper (Expedited).

Recommended Finding: **Not Sustained – Lawful and Proper (Expedited)**

Named Employee #4 – 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 that this allegation be Not Sustained – Unfounded (Expedited).

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



Named Employee #4 – Allegation #3

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

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

Named Employee #4 – Allegation #4

8.200 – Using Force, 8.200-POL-1. Using Force: When Authorized

For the reasons articulated in Named Employee #1 – Allegation #4, OPA recommends that this allegation be Not Sustained – Unfounded (Expedited).

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