



## ***CLOSED CASE SUMMARY***

ISSUED DATE: JUNE 4, 2025

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

CASE NUMBER: 2025OPA-0014

### **Allegations of Misconduct & Director's Findings**

#### **Named Employee #1**

Allegation(s):		Director's Findings
# 1	6.180 – Searches-General, 1. Officers May Only Make Searches Pursuant to a Search Warrant, Unless a Specific Exception Applies	Not Sustained - Lawful and Proper (Expedited)

#### **Named Employee #2**

Allegation(s):		Director's Findings
# 1	6.180 – Searches-General, 1. Officers May Only Make Searches Pursuant to a Search Warrant, Unless a Specific Exception Applies	Not Sustained - Lawful and Proper (Expedited)

#### **Named Employee #3**

Allegation(s):		Director's Findings
# 1	6.180 – Searches-General, 1. Officers May Only Make Searches Pursuant to a Search Warrant, Unless a Specific Exception Applies	Not Sustained - Lawful and Proper (Expedited)
# 2	16.110 – Crisis Intervention, 16.110-PRO-1. Referring a Subject for an Involuntary Behavioral Health Evaluation	Not Sustained - Lawful and Proper (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 responded to a crisis call involving the Complainant and detained her under the Involuntary Treatment Act (ITA).<sup>1</sup> The Complainant alleged that the named employees unlawfully entered her apartment, and that NE#3 lacked justification to execute an ITA detention.

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<sup>1</sup> The ITA authorizes an officer to apprehend and transport a person to a facility when the officer reasonably believes the person is suffering from a behavioral health disorder and presents an imminent likelihood of serious harm or is in imminent danger due to grave disability. See RCW 71.05.153(2).



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**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 6, 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 behavioral crisis report.

On January 9, 2025, CAD call remarks noted a reporting party requesting the removal of someone in her establishment. The call taker could hear someone upset and crying loudly in the background. The named employees responded to an apartment and contacted personnel, who reported their belief that the Complainant was experiencing a mental health crisis. NE#3 told NE#1 and NE#2 that the Complainant had called the police to report a sexual assault but later cancelled it. The named employees first contacted the Complainant's mother, who requested the Complainant be hospitalized for mental health concerns. She said the Complainant had collapsed in the garage a few weeks prior, was not eating or sleeping, had experienced several seizures, and was likely hallucinating. She believed the Complainant's condition deteriorated due to her role as a supervisor at a crisis center, where manages the most severe crisis situations. She said she had been expelled from the Complainant's apartment. The named employees then contacted the Complainant at her apartment. Although she initially denied them entry, she later consented. The Complainant reported that she was physically and sexually assaulted several days earlier and was experiencing a meltdown. She confirmed that she had not slept for several days and had been exposed to trauma but denied having any self-harm ideations. NE#1 and NE#3 told her that they would require her to go to a hospital when she declined hospitalization. The Complainant was secured onto a gurney and transported by American Medical Response.

NE#3's behavioral crisis report concluded, "I decided to ITA [the Complainant] based on her statements about not sleeping for multiple days, unable to recall last time she ate or drank, and her mother's statement about this being off [the Complainant's] baseline. I believed that [the Complainant] met the criteria for gravely disabled based on the totality of the circumstance." NE#3 also noted that he screened the ITA detainment with a sergeant over the phone.

**ANALYSIS AND CONCLUSIONS:**

**Named Employee #1 – Allegation #1**

***6.180 – Searches-General, 1. Officers May Only Make Searches Pursuant to a Search Warrant, Unless a Specific Exception Applies***

The Complainant alleged that the named employees unlawfully entered her apartment.

Officers are prohibited from searching without a valid search warrant unless a specific exception applies. SPD Policy 6.180(1). Officers may conduct a search with consent. See SPD Policy 6.180-POL-2(1). Officers conducting a consent search will ask the consenting person to sign a consent to search form if available or document the consent using another department-authorized recording device, such as in-car video, BWV, or digital recorder. *Id.*



Although the Complainant initially denied entry to the named employees, she later consented. Thus, the named employees validly entered the Complainant's apartment with her consent. This consent was captured on BWV and documented in NE#3's behavioral crisis report ("I contacted [the Complainant] at her apartment where she allowed us inside to talk").

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

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

**Named Employee #2 – Allegation #1**

***6.180 – Searches-General, 1. Officers May Only Make Searches Pursuant to a Search Warrant, Unless a Specific Exception Applies***

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 #1**

***6.180 – Searches-General, 1. Officers May Only Make Searches Pursuant to a Search Warrant, Unless a Specific Exception Applies***

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**

***16.110 – Crisis Intervention, 16.110-PRO-1. Referring a Subject for an Involuntary Behavioral Health Evaluation***

The Complainant alleged that NE#3 lacked justification to execute an ITA detainment.

When referring a subject for an involuntary behavioral health evaluation, an officer must determine that the subject may be eligible for evaluation, determine that the subject meets the involuntary behavioral health evaluation criteria pursuant to RCW 71.05.153(2), and screen the incident with a sergeant. SPD Policy 16.110-PRO-1. The sergeant must review the incident and advise the officer whether to order the evaluation. *Id.*

NE#3 had facts to indicate that the Complainant was suffering from a behavioral health disorder and was in imminent danger due to grave disability. Apartment personnel and the Complainant's mother expressed concerns about the Complainant undergoing a mental health crisis. The Complainant reportedly had seizures and was experiencing hallucinations. The Complainant confirmed that she had not slept for several days and could not recall the last time she had eaten or drunk anything. Under these circumstances, NE#3 reasonably concluded that the Complainant was in imminent danger due to a grave disability. Thus, these facts supported NE#3's decision to execute an ITA detainment. NE#3 also documented that he screened the ITA detainment with a sergeant over the phone in compliance with SPD policy.



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

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