



CLOSED CASE SUMMARY

ISSUED DATE: JULY 22, 2025

FROM: INTERIM DIRECTOR BONNIE GLENN
OFFICE OF POLICE ACCOUNTABILITY

CASE NUMBER: 2025OPA-0016

Allegations of Misconduct & Director's Findings

Named Employee #1

Allegation(s):		Director's Findings
# 1	5.001 – Standards and Duties, 5.001-POL-10. Employees Will Strive to be Professional	Not Sustained - Unfounded
# 2	5.001 – Standards and Duties, 5.001-POL-2. Employees Must Adhere to Laws, City Policy, and Department Policy	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:

On January 12, 2025, the Puyallup Police Department (PPD) responded to a possible domestic violence (DV) and custodial interference incident involving Named Employee #1 (NE#1) and Community Member #1 (CM#1), his former mother-in-law. The incident arose when CM#1 arrived at NE#1's home and took NE#1's daughter (Daughter #1) over his objection. During that process, NE#1 grabbed CM#1's arm, which purportedly caused bruising. NE#1 allegedly acted unprofessionally during this incident and allegedly committed DV assault against CM#1.

ADMINISTRATIVE NOTE:

On May 15, 2025, the Office of Inspector General certified OPA's investigation as thorough, timely, and objective.

SUMMARY OF INVESTIGATION:

OPA's investigation included reviewing the OPA complaint, PPD incident report, body-worn video (BWV), Ring video, and photographs. OPA also interviewed NE#1.

A. OPA Complaint

On January 14, 2025, the Complainant, an SPD sergeant, submitted an OPA complaint via Blue Team. According to the complaint, the Complainant received a call from NE#1, who reported the following incident in which PPD responded. CM#1 attempted to take Daughter #1 from NE#1's home, leading NE#1 to physically intervene by grabbing CM#1's arm to prevent what he perceived as custodial interference. CM#1 sought medical treatment for a bruise which she claimed was sustained during the altercation. The Complainant noted that the incident was screened with the Puyallup City Attorney's Office, which declined to file criminal charges against NE#1.



B. Puyallup Police Department (PPD) Incident Report, Body-Worn Video (BWV), and Ring Video

According to a PPD officer's incident report, dispatch alerted that a 911 caller, NE#1, reported that CM#1 had taken Daughter #1 (aged 15) after NE#1 grabbed CM#1 to stop her. The incident report also stated that NE#1 and CM#1 resided together as adults for two to three years around 2019, establishing a domestic relationship.

Two PPD officers arrived at NE#1's home with their BWV activated, capturing the following:

NE#1 told the PPD officers that he and Community Member #2 (CM#2), his former spouse, have joint custody of Daughter #1. According to the parenting plan, NE#1 has physical custody of Daughter #1 every other weekend, which included that day. NE#1 said CM#1 (CM#2's mother) does not possess any custodial rights over Daughter #1. NE#1 said he and Daughter #1 argued because she violated his household rule prohibiting food in her bedroom, prompting Daughter #1 to contact CM#1 and request to be picked up. NE#1 showed a Ring video on his phone capturing his encounter with CM#1 upon CM#1's arrival. The Ring video captured the following:

CM#1 knocked on the front door, which Daughter #1 answered. CM#1 told Daughter #1 to gather her belongings since she was leaving. NE#1 could be heard saying, "She is not leaving." Daughter #1 exited the home without her belongings, after which CM#1 remarked, "Oh, she most certainly is." CM#1 appeared to have closed the door, as a sound resembling a door being shut was audible.

The next Ring video captured Daughter #1 running toward CM#1's car. NE#1 used both hands to grab CM#1's upper right arm and shoulder area.¹



The image above was taken from NE#1's Ring video. NE#1 (in blue) used both hands to grab CM#1 (in green) while she attempted to leave.

¹ NE#1 told the PPD officer that he had no intent to harm CM#1 when he grabbed her. NE#1 stated that he aimed to prevent CM#1 from unlawfully taking Daughter #1.



CM#1 stated, "You've got your hands on me," to which NE#1 replied, "Yes, I do." CM#1 countered, "Get them off." NE#1 asked, "What is wrong with you?" CM#1 declared, "I am going to call the police." NE#1 released his left hand, set it to his side, and stated, "I am going to call the police." CM#1 insisted, "Get your hands off me," freed her arm from NE#1's grasp by raising it, and promptly remarked, "Good."



The image above was taken from NE#1's Ring video. CM#1 freed her left arm by raising it.

CM#1 began walking toward her car while NE#1 reentered his home. CM#1 turned around and stated, "She's 15. She don't have to stay. You don't have ownership." CM#1 then departed with Daughter #1.

The PPD officer who viewed the Ring video documented in his incident report, "Based on the video alone, I did not observe anything that appeared would cause pain or injury." The PPD officer also noted, "Reviewing video, the grab does not appear to be overly aggressive and lasts roughly 5 seconds."

BWV then captured the following:

The PPD officers learned that CM#1 had dropped Daughter #1 off with CM#2 and subsequently admitted herself to a hospital due to a bruise on her upper right arm. CM#2 requested the PPD officers to assist in returning Daughter #1 to NE#1, which they did. A PPD officer then visited the hospital and interviewed CM#1, who provided an account generally consistent with the events recorded on the Ring camera. She admitted to not having custodial rights to Daughter #1 but believed Daughter #1 could leave on her own. She said NE#1 grabbed her tightly and caused her to lose balance. She rated the pain as a five out of 10. The PPD officer photographed CM#1's upper right arm, which showed bruising. CM#2 said that the grab only lasted a few seconds. The PPD officer said he would document the



incident and present it to the prosecutor's office for consideration of criminal charges, including a possible custodial interference charge against CM#1 and a possible DV assault charge against NE#1.²

C. OPA Interview

On May 6, 2025, OPA interviewed NE#1. His statements were consistent with the evidence summarized above. He affirmed that Daughter #1 was in his custody in compliance with the parenting plan and that CM#1 had no legal right to remove Daughter #1 from his care. He recounted that he was nearly hit by the door when CM#1 slammed it. He said he grabbed CM#1 to stabilize the situation and talk to her, as the events were progressing rapidly. He denied any intent to harm her.

ANALYSIS AND CONCLUSIONS:

Named Employee #1 – Allegation #1

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

NE#1 allegedly acted unprofessionally during this incident.

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 finds, by a preponderance of the evidence, that NE#1 did not engage in unprofessional conduct during this incident. The incident began when Daughter #1 violated NE#1's household rule by taking food into her room. CM#1 became involved after Daughter #1 called her, requesting a pickup. CM#1 then removed Daughter #1 from NE#1's home over his clear objections. NE#1's grasp was a reasonable method to prevent CM#1's departure, especially since CM#1 lacked the legal authority to remove Daughter #1 under any circumstances. After CM#1 freed her arm and insisted on taking Daughter #1, NE#1 disengaged from the situation and called 911 for assistance. NE#1 also promptly notified his chain of command about the incident. When PPD officers arrived, NE#1 accurately recounted the incident and provided video evidence corroborating his account. After CM#1 transferred Daughter #1 to CM#2, CM#2 expressed no concerns about returning Daughter #1 to NE#1 and even requested the PPD officers to do so.

NE#1 was entirely justified in feeling upset about a former relative arriving at his home unannounced and unlawfully taking his daughter, especially since he had custody of her pursuant to a parenting plan. Yet, as the events unfolded, NE#1 reacted appropriately under difficult circumstances by maintaining a calm demeanor, attempting to avert custodial interference, and contacting the authorities for assistance. Overall, NE#1's conduct was not unprofessional.

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

² A memo from the Puyallup City Attorney's Office indicated that the office filed a criminal charge against CM#1 for custodial interference but declined to file criminal charges against NE#1.



Recommended Finding: **Not Sustained – Unfounded**

Named Employee #1 – Allegation #2

5.001 – Standards and Duties, 5.001-POL-2. Employees Must Adhere to Laws, City Policy, and Department Policy

NE#1 allegedly committed DV assault against CM#1.

Employees must adhere to laws, city policy, and department policy. SPD Policy 5.001-POL-2. A person is guilty of assault in the fourth degree if, under circumstances not amounting to assault in the first, second, or third degree, or custodial assault, the person assaults another. See RCW 9A.36.041(1). Although the term “assault” is not defined in the criminal code, courts use common law to define the term. See comment to Washington Pattern Jury Instructions 35.50 (Assault—Definition). The following definitions of “assault” have been recognized by Washington courts: (1) an attempt, with unlawful force, to inflict bodily injury upon another; (2) an unlawful touching with criminal intent; and (3) putting another in apprehension of harm whether or not the actor actually intends to inflict or is incapable of inflicting that harm. *Id.*

OPA found insufficient evidence to support a DV assault charge against NE#1, even when evaluated under the lower preponderance of the evidence standard, as opposed to the beyond a reasonable doubt standard—the highest legal standard. NE#1’s Ring video captured NE#1 grabbing CM#1 in a manner that did not seem likely to cause any injury. In fact, CM#1 did not express any pain while being held. The manner of NE#1’s grasp suggested it was a *de minimis*³ control hold. As noted above, this grasp was reasonable under the circumstances, as it was intended to prevent CM#1 from unlawfully taking Daughter #1 away since NE#1 had legal custody of her, while CM#1 did not. During the brief time CM#1 was being held, she did not convey any fear that would suggest she was apprehensive of harm. Rather, CM#1 freed her arm independently and claimed that Daughter #1 was not required to stay because NE#1 lacked ownership rights. Thus, the totality of the evidence indicated that NE#1 did not attempt to apply unlawful force to inflict bodily injury upon CM#1; that NE#1 lacked the criminal intent to unlawfully touch CM#1; and that NE#1 did not place CM#1 in apprehension of harm. Although CM#1 exhibited bruising on her upper right arm, NE#1’s grasp was very brief and did not appear excessively forceful. The mere presence of a physical injury would be insufficient to support a DV assault charge against NE#1 when considered under the totality of the circumstances.

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

Recommended Finding: **Not Sustained – Unfounded**

³ *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.