



CLOSED CASE SUMMARY

ISSUED DATE: JUNE 13, 2025

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

CASE NUMBER: 2025OPA-0039

Allegations of Misconduct & Director's Findings

Named Employee #1

Allegation(s):		Director's Findings
# 1	13.080 – Use of Department Vehicles, 13.080-POL-11. Prohibited Activities During Use of Department Vehicles	Not Sustained - Training Referral
# 2	16.090 – In-Car and Body-Worn Video, 16.090-POL-2 Sworn Employees Recording Police Activity, 2. When Sworn Employees Record Activity	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:

Named Employee #1 (NE#1) was dispatched to a priority three call involving narcotics. Two complainants (Complainant #1 and Complainant #2) alleged that NE#1 sped through an intersection and nearly struck Complainant #2 and her child as they were crossing a marked crosswalk. OPA also alleged that NE#1 failed to activate his in-car video (ICV) while enroute to the narcotics call.

ADMINISTRATIVE NOTE:

On June 11, 2025, the Office of Inspector General certified OPA's investigation as thorough, timely, and objective.

SUMMARY OF INVESTIGATION:

On January 28, 2025, the complainants submitted OPA complaints. Complainant #1, a childcare center employee, reported that NE#1 sped through an intersection adjacent to her childcare center while Complainant #2 and her child were in the middle of a "clearly marked" crosswalk, nearly striking them. Complainant #1 wrote that Complainant #2 and her child shouted and waved at NE#1, but NE#1 neither stopped nor decelerated. Complainant #2's OPA complaint was consistent with Complainant #1's, but she added other details. Complainant #2 stated that other cars traveling in other directions already stopped to allow her to cross. She also said that, as NE#1 passed by, she saw NE#1 "briefly look back and see what [he] had done" while maintaining the same speed.

OPA reviewed the computer-aided dispatch (CAD) call report, in-car video (ICV), global positioning system (GPS) records, and mobile data terminal (MDT) records. OPA also interviewed both complainants and NE#1.

CAD records showed that on January 27, 2025, NE#1 was dispatched to a narcotics call. ICV captured NE#1 driving to the location of the narcotics call but did not capture the location of the crosswalk at issue. GPS and MDT records



showed NE#1's patrol vehicle passing through the intersection identified by the complainants. The vehicle traveled about 22 MPH around the time NE#1 passed through the intersection.¹ According to the Seattle Department of Transportation, the speed limit on that street was 20 MPH.

On February 4, 2025, OPA interviewed Complainant #1, who provided an account consistent with her OPA complaint. She said her childcare center lacked security cameras that would have recorded the incident. On June 6, 2025, OPA interviewed Complainant #2, who also provided an account consistent with her OPA complaint.

On May 16, 2025, OPA interviewed NE#1. He said he self-dispatched to a narcotics call, which he described as an unmemorable low priority call. He said his ICV was uploaded under a different incident number but confirmed that ICV was activated before his arrival at the narcotics call. He claimed to have no recollection of any close call incident involving pedestrians at that crosswalk. He said he would have stopped and apologized had such an incident occurred.

ANALYSIS AND CONCLUSIONS:

Named Employee #1 – Allegation #1

13.080 – Use of Department Vehicles, 13.080-POL-11. Prohibited Activities During Use of Department Vehicles

The complainants alleged that NE#1 nearly struck Complainant #2 and her child as they crossed a marked crosswalk.

SPD employees are prohibited from engaging in specific activities while operating a department vehicle. SPD Policy 13.080-POL-11. Among other things, SPD employees may not drive in a manner that is discourteous or aggressive unless necessary to effect a recognized law enforcement purpose. *Id.*

OPA finds, more likely than not, that NE#1 drove through a marked crosswalk in a manner discourteous to Complainant #2 by nearly striking her and her child. Although there appeared to be no video that recorded the incident, an independent witness—Complainant #1, who worked at a childcare center located next to the crosswalk—observed the incident and corroborated Complainant #2's account. OPA has no reason to question the veracity of their consistent accounts. Also, GPS and MDT records corroborated their claims, as these records confirmed that NE#1 drove through the intersection at issue at around 22 MPH. A preponderance of the evidence supported the allegations that NE#1 drove in a discourteous and aggressive manner by failing to yield to Complainant #2 and her child.

Although OPA concludes that NE#1 probably violated this policy, OPA issues a training referral for the following reasons. First, OPA reviewed the allegation history for SPD Policy 13.080-POL-11 and identified only one prior case where a "Sustained" finding was entered after an OPA investigation. In that case, the named employee caused a collision while operating a department vehicle under the influence of alcohol. Instead, in the overwhelming number of cases in which this type of misconduct is addressed by OPA, it is processed as a non-disciplinary supervisor action.² Second, NE#1's conduct—failing to yield the right-of-way to pedestrians within a crosswalk—would be a traffic infraction.³ SPD Policy explicitly defines "traffic and parking infractions" as "minor misconduct." See SPD Policy 5.002-POL-5(c). Finally, OPA reviewed NE#1's complaint history and determined that, in over five years at SPD,

¹ GPS recorded the patrol vehicle's speed intermittently, so this speed was an estimate.

² A Supervisor Action generally involves a minor policy violation or performance issue the employee's supervisor addresses through training, communication, or coaching. See OPA Internal Operations and Training Manual section 5.4(B)(ii).

³ See SMC 11.40.040. See also RCW 46.61.235.



OPA has not sustained any prior allegations against him, issued him any training referrals, or sent any allegations against him back to the chain of command as supervisor actions related to his driving.

OPA is troubled that NE#1's discourteous and aggressive driving occurred near a childcare facility and, possibly, put Complainant #2 and her child at risk. It issues the training referral in this instance as the most correct response in line with fairness and past precedent, recognizing that NE#1 was not driving at an unreasonable speed and no collision occurred. Although OPA's investigation did not discern exactly how close NE#1's vehicle came to Complainant #2 and her child, OPA reiterates to NE#1 the importance of always driving safely. NE#1 is on notice that any future violation concerning his operation of an SPD vehicle may result in a Sustained finding.

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

- **Training Referral:** NE#1's chain of command should discuss OPA's findings with NE#1, review SPD Policy 13.080-POL-11 with NE#1, and provide any further retraining and counseling that it deems appropriate. The retraining and counseling conducted should be documented in Blue Team.

Recommended Finding: **Not Sustained – Training Referral**

Named Employee #1 – Allegation #2

16.090 – In-Car and Body-Worn Video, 16.090-POL-2 Sworn Employees Recording Police Activity, 2. When Sworn Employees Record Activity

OPA alleged that NE#1 failed to activate his ICV while enroute to the narcotics call.

When safe and practical, sworn employees will record police activity, even if the event is out of view of the camera. SPD Policy 16.090-POL-2(2). Police activity includes, among other things, dispatched calls, starting before the employee arrives on the call to ensure adequate time to turn on cameras. *Id.*

ICV captured a portion of NE#1's driving to the narcotics call, although it did not capture the specific incident relevant to this investigation. NE#1 explained that his ICV was uploaded under a different incident number, which OPA confirmed to be true. Policy did not require NE#1 to record this specific moment. Thus, this allegation is unfounded.

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

Recommended Finding: **Not Sustained – Unfounded**