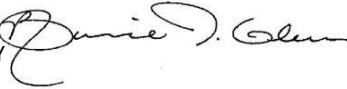




CLOSED CASE SUMMARY

ISSUED DATE: JULY 22, 2025

FROM: INTERIM DIRECTOR BONNIE GLENN
OFFICE OF POLICE ACCOUNTABILITY 

CASE NUMBER: 2025OPA-0052

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

The Complainant was riding an electric scooter when he nearly collided with Named Employee #1 (NE#1). The Complainant alleged that NE#1 was unprofessional through his yelling and aggressive behavior. The Complainant also alleged that NE#1 exhibited racial bias against him.

ADMINISTRATIVE NOTE:

On July 2, 2025, the Office of Inspector General certified OPA’s investigation as thorough, timely, and objective.

SUMMARY OF INVESTIGATION:

On February 14, 2025, the Complainant called OPA to file a complaint against NE#1. The Complainant reported that he rode an electric scooter into NE#1. In response, NE#1 allegedly yelled and postured for a fight. The Complainant alleged that NE#1’s conduct exhibited racism.

OPA investigated the complaint by reviewing the computer-aided dispatch call report and by interviewing the Complainant, NE#1, and two witness officers (WO#1 and WO#2).

On February 20, 2025, OPA interviewed the Complainant. He said he was riding an electric scooter on a sidewalk toward NE#1, who was also on the sidewalk and stood beside a trash can while placing an item into it. He said NE#1 was with two other officers. He said he stopped his scooter before physically contacting NE#1, who then glared at him and told him to be mindful of his path, as pedestrians had the right of way. He said he had seen NE#1 in time and did not collide with him. He said they then yelled at each other, although he could not recall the specifics of their dialogue. He said NE#1 appeared angry but was uncertain about the reason for NE#1’s yelling. He said an officer intervened by positioning himself between them. He said he told NE#1 that he intended to report the incident and then demanded



NE#1's information, which was given to him. He said NE#1 was unprofessional and racist based on NE#1's behavior. He said he felt frightened based on NE#1's demeanor, although NE#1 did not physically contact him.

On April 4, 2025, OPA interviewed NE#1. NE#1 said he had just disposed an item in a trash can when the Complainant came "flying up" on an electric scooter. NE#1 said the Complainant was traveling so fast that when he applied the brakes, the wheels squealed, and the Complainant stopped directly in front of him. NE#1 said he confronted the Complainant, asking, "What the fuck? Why did you get in front of me?" NE#1 said he explained the necessity of yielding the right of way to pedestrians. NE#1 said the Complainant, in response, shouted, "No, you got in front of me!" NE#1 said he explained the law several times and found the conversation to be unproductive. NE#1 said the Complainant then rode away, only to stop after a short distance and begin yelling again. NE#1 said he approached the Complainant and again explained the necessity of yielding the right of way, but the Complainant shouted so loudly that he was spitting in NE#1's face. NE#1 said the Complainant exclaimed, "Fuck you, cracker." NE#1 said he only raised his voice to be heard over the Complainant's shouting. NE#1 said WO#1 intervened because NE#1 and the Complainant were in each other's faces, and the Complainant was yelling loudly. NE#1 said he provided a business card to the Complainant when requested. NE#1 said the Complainant's race did not impact the encounter. NE#1 said there was no body-worn video of the encounter because he was not taking enforcement action against the Complainant.

On March 27, 2025, OPA interviewed WO#1, who corroborated NE#1's interview statements. WO#1 said the Complainant asserted that NE#1 needed to move aside, whereas NE#1 asserted that the Complainant needed to watch for pedestrians on the sidewalk. WO#1 said he did not hear NE#1 use profanity or racial slurs, although he heard NE#1 yell, which WO#1 attributed to the need to overcome the Complainant's shouting.

On April 9, 2025, OPA interviewed WO#2. He recalled a verbal altercation between NE#1 and the Complainant, although he was unaware of the specific details. He said he did not hear any swearing, yelling, or the use of racial slurs.

ANALYSIS AND CONCLUSIONS:

Named Employee #1 – Allegation #1

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

The Complainant alleged that NE#1 was unprofessional through his yelling and aggressive behavior.

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.*

The accounts from the Complainant, NE#1, and WO#1 were generally consistent. Based on these accounts, the Complainant operated an electric scooter on a sidewalk and came close to NE#1, who had just disposed an item in a trash can on the sidewalk. NE#1 told the Complainant that he needed to yield to pedestrians on the sidewalk. Both individuals raised their voices at each other, and, at some point, WO#1 intervened by placing himself between NE#1 and the Complainant. OPA does not find unprofessional conduct based on these facts. According to NE#1 and WO#1, NE#1's shouting was an effort to be heard over the Complainant's shouting. Moreover, the Complainant reportedly



reengaged NE#1 and called him a “cracker.” There was no evidence indicating that NE#1 used any unprofessional or racially charged language directed toward the Complainant. Finally, NE#1 provided his information to the Complainant upon request, enabling the Complainant to file an OPA complaint. Overall, a preponderance of the evidence did not indicate unprofessional conduct from NE#1.

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

Recommended Finding: **Not Sustained – Unfounded**

Named Employee #1 – Allegation #2

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

The Complainant alleged that NE#1 exhibited racial bias against 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 discernible personal characteristics. *See* SPD Policy 5.140-POL-2.

This allegation is unfounded. The Complainant cited NE#1’s behavior as evidence of racist behavior, but OPA finds that neither NE#1’s behavior nor his language exhibited any racial bias. The Complainant was the one who initiated contact with NE#1 by nearly colliding with him. Most of the encounter seemed to involve NE#1 repeatedly advising the Complainant to yield to pedestrians, which the Complainant apparently contested. NE#1 denied using racial slurs, which the witness officers corroborated. Furthermore, NE#1 did not take any enforcement action against the Complainant and reportedly attempted to disengage once he believed their conversation was unproductive. Overall, OPA found no evidence supporting the Complainant’s allegation of race-based mistreatment.

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

Recommended Finding: **Not Sustained – Unfounded**