



CLOSED CASE SUMMARY

ISSUED DATE: AUGUST 19, 2025

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

CASE NUMBER: 2025OPA-0075

Allegations of Misconduct & Director's Findings

Named Employee #1

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)

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)

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:

SPD officers, including the named employees (NE#1 and NE#2), responded to a disturbance call concerning the Complainant near a Starbucks store, where he allegedly yelled homophobic slurs at the manager and threatened to shoot him. The Complainant alleged that NE#1 unlawfully detained him and that NE#2 unlawfully searched his vehicle.

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 April 23, 2025, OIG certified OPA's investigation as thorough, timely, and objective.

SUMMARY OF INVESTIGATION:

OPA's investigation included reviewing the OPA complaint, computer-aided dispatch (CAD) call report, body-worn video (BWV), incident report, and photographs. OPA also interviewed the Complainant via email.

According to records from CAD, BWV, and the incident report, on November 11, 2024, SPD officers, including the named employees, responded to a 911 call regarding a male under the influence who had threatened to shoot Starbucks staff. Officers spoke with the manager, who reported that the Complainant, previously trespassed from this



Starbucks store, had yelled homophobic slurs at him and threatened to shoot him. Outside the store, the named employees spoke with the Complainant, who denied having a gun or making threats. He maintained that he was merely listening to loud music in his vehicle while expressing his intent to sue—not shoot—Starbucks staff.¹ He consented repeatedly to a search of his vehicle. NE#2 searched it but did not find a gun. The officers left the scene after determining that no crime had occurred.

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 NE#1 unlawfully detained him.

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 Starbucks store manager identified the Complainant as an individual who had been previously trespassed and threatened to shoot him. Due to an alleged harassment offense, NE#1 had reasonable suspicion to detain the Complainant upon contact. Following NE#1's investigation into the incident, which did not uncover evidence of a crime, NE#1's reasonable suspicion was dispelled, and the Complainant was subsequently released from detainment.

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

The Complainant alleged that NE#2 unlawfully searched his vehicle.

Officers are prohibited from searching without a valid search warrant unless a specific exception applies. SPD Policy 6.180(1). Officers are permitted to conduct searches without a warrant after obtaining a person's consent. See SPD Policy 6.180-POL-2.

¹ According to the incident report, the Complainant had an accent, causing the word "sue" to sound like "shoot." BWV confirmed that the Complainant indeed spoke with an accent.



BWV captured the Complainant repeatedly consenting to a search of his vehicle. Although NE#2 did not have a search warrant, the Complainant's unambiguous consent permitted NE#2 to search the vehicle.

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

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