



## CLOSED CASE SUMMARY

ISSUED DATE: AUGUST 26, 2025

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

CASE NUMBER: 2025OPA-0085

### Allegations of Misconduct & Director's Findings

#### Named Employee #1

Allegation(s):		Director's Findings
# 1	15.180 – Primary Investigations, 15.180-POL-1. Officers Shall Conduct a Thorough and Complete Search for Evidence	Not Sustained - Lawful and Proper (Expedited)
# 2	6.010 – Arrests, 6.010-POL-1. Sworn Employees Must Have Probable Cause That a Subject has Committed a Crime in Order to Effect an Arrest	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:

Named Employee #1 (NE#1) responded to a domestic violence (DV) incident and arrested the Complainant. The Complainant alleged that NE#1 conducted an unthorough investigation and unlawfully arrested her as the victim.

### 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 employee. As such, OPA did not interview the named employee in this case.

On April 22, 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 call report, body-worn video, incident report, and photographs. The Complainant declined an interview with OPA.

According to the above-mentioned records, NE#1 and her backing officer went to the Complainant's apartment on January 16, 2025, following a 911 call reporting an assault. NE#1 interviewed the Complainant, while NE#1's backing officer interviewed Community Member #1 (CM#1), the Complainant's boyfriend. The Complainant reported that she and CM#1 had a physical confrontation the previous day, during which CM#1 bit her hands and covered her mouth. When asked about the source of the contusion on her forehead, the Complainant reported that CM#1 had punched her forehead that night, although she later claimed that she was slammed against the bathroom counter. She also reported that CM#1 had punched her stomach and kicked her. NE#1 photographed the Complainant's injuries and later documented her observations in an incident report, which noted that the Complainant had a large contusion on



her forehead, swollen fingers, and bruising on her lower stomach, but no bite marks on her hands. NE#1 also documented the Complainant's slurred speech, which suggested she was under the influence, as well as her inconsistent statements about the way CM#1 had assaulted her.

NE#1's backing officer interviewed CM#1. CM#1 reported that a verbal argument led to the Complainant choking him with a shirt and biting his right wrist. He reported that the Complainant squeezed his genitals, struck him with a mug, and scratched him. He reported that during this assault, the Complainant fell and struck her head against either a table or a wall. NE#1 later documented her observations in her incident report, which noted that CM#1 had a bite mark on his right wrist, scratches on his neck, face, and upper back, and redness around his neck.

NE#1 discussed the incident with her backing officer and consulted a sergeant over the phone. They all believed the Complainant was the primary aggressor based on the evidence. NE#1 then arrested the Complainant for DV assault.

#### **ANALYSIS AND CONCLUSIONS:**

##### **Named Employee #1 – Allegation #1**

##### ***15.180 – Primary Investigations, 15.180-POL-1. Officers Shall Conduct a Thorough and Complete Search for Evidence***

The Complainant alleged that NE#1 conducted an unthorough investigation.

In primary investigations, officers must conduct a thorough and complete search for evidence. SPD Policy 15.180-POL-1.

NE#1 conducted a thorough and complete search for evidence. NE#1 and her backing officer interviewed both parties separately, reinterviewed them separately, examined physical injuries on their bodies, photographed those injuries, briefly interviewed a neighbor, discussed the evidence they gathered with each other, and consulted a sergeant. Under these circumstances, NE#1 collected the most common evidence typically found in a DV assault investigation.

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

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

##### **Named Employee #1 – Allegation #2**

##### ***6.010 – Arrests, 6.010-POL-1. Sworn Employees Must Have Probable Cause That a Subject has Committed a Crime in Order to Effect an Arrest***

The Complainant alleged that NE#1 unlawfully arrested her as the victim.

Sworn employees must have probable cause that a subject committed a crime before executing an arrest. SPD Policy 6.010-POL-1. Stated differently, where an arrest is not supported by probable cause, it violates law and Department policy. Probable cause exists when the facts and circumstances within a sworn employee's knowledge sufficiently support a reasonable belief that an offense has been or is being committed. *See State v. Fricks*, 91 Wash.2d 391, 588 P.2d 1328 (1979); *State v. Gluck*, 83 Wash.2d 424, 426–27, 518 P.2d 703 (1974).



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Although both parties to the DV incident sustained injuries, NE#1's decision to arrest the Complainant as the primary aggressor was supported by probable cause. CM#1's account was consistent with the physical injuries observed on his body, whereas the Complainant's account was less consistent with the physical injuries observed on her body. Moreover, the Complainant provided inconsistent statements about the way CM#1 had assaulted her and frequently changed the narrative of the incident. The Complainant's credibility was further undermined when she denied being under the influence, which contradicted her slurred speech, and when she misrepresented her relationship with CM#1. Considering the totality of the evidence, NE#1 had probable cause to arrest the Complainant for DV assault.

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

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