



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-0090

Allegations of Misconduct & Director's Findings

Named Employee #1

| Allegation(s): | | Director's Findings |
|----------------|---------------------------------------------------------------------------------------------------|-----------------------------------------------|
| # 1 | 15.410 – Domestic Violence Investigation, 15.410-POL-2. Officers Make Arrests with Probable Cause | Not Sustained - Lawful and Proper (Expedited) |
| # 2 | 5.140 – Bias-Free Policing, 5.140-POL-2. Officers Will Not Engage in Bias-Based Policing | Not Sustained - Unfounded (Expedited) |

Named Employee #2

| Allegation(s): | | Director's Findings |
|----------------|---------------------------------------------------------------------------------------------------|-----------------------------------------------|
| # 1 | 15.410 – Domestic Violence Investigation, 15.410-POL-2. Officers Make Arrests with Probable Cause | Not Sustained - Lawful and Proper (Expedited) |
| # 2 | 5.140 – Bias-Free Policing, 5.140-POL-2. Officers Will Not Engage in Bias-Based Policing | Not Sustained - Unfounded (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:

The named employees (NE#1 and NE#2) responded to a domestic violence (DV) call involving the Complainant and her partner, Community Member #1 (CM#1). Following an investigation, NE#2 arrested the Complainant for DV assault. The Complainant alleged that the named employees unlawfully arrested her and were biased against her based on her disability status.

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 21, 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 photograph. OPA also interviewed the Complainant.



According to the records OPA reviewed, NE#2 responded to a 911 call concerning a DV disturbance at CM#1's home, where the Complainant resided. NE#2 interviewed the Complainant, who reported that she was unable to leave because CM#1 had taken her car keys, believing she would go purchase alcohol. She said she wanted to leave because she needed space from CM#1. She denied any physical altercation occurring between them. NE#2 then interviewed CM#1, who reported that the Complainant struck his garage with her vehicle, likely due to taking an excessive amount of anxiety medication. He said he took her car keys because she intended to purchase alcohol. He said she tried to retrieve her keys from his sweatpants pocket but, instead, tore the pocket and kicked his left shin. He said she later shoved his neck toward the hallway, causing a scratch and minor bleeding on his neck. A red mark was visible on CM#1's neck. NE#2 then arrested the Complainant for assault. NE#1, a sergeant, screened the arrest.

ANALYSIS AND CONCLUSIONS:

Named Employee #1 – Allegation #1

15.410 – Domestic Violence Investigation, 15.410-POL-2. Officers Make Arrests with Probable Cause

The Complainant alleged that the named employees unlawfully arrested her.

An officer must arrest a person without a warrant when the officer has probable cause to believe the person is age 18 or older and assaulted a family or household member within the preceding four hours, and the officer believes a felonious assault occurred, an assault occurred resulting in bodily injury to the victim (whether visible or not), or any physical action occurred intending to cause another person reasonably to fear imminent serious bodily injury or death. SPD Policy 15.410-POL-2. When the officer has probable cause to believe family or household members assaulted each other, the officer does not have to arrest both people. *Id.* The officer must arrest the person whom the officer believes to be the primary physical aggressor, considering that the primary physical aggressor is not always the person who struck first, the intent to protect DV victims, the comparative extent of injuries inflicted or serious threats creating fear of physical injury, and the DV history of each person involved, including whether the conduct was part of an ongoing pattern of abuse. *Id.*

The named employees' probable cause was predicated on statements from both parties and the visible mark on CM#1's neck. The parties lived together and were in a relationship, an assault allegedly occurred resulting in bodily injury to CM#1, and the assault allegedly occurred within the preceding four hours. Consequently, after NE#2 developed probable cause for DV assault during her investigation, she was required, by law and policy, to execute a mandatory arrest. NE#1 screened the incident and approved the arrest. Therefore, the Complainant's arrest was supported by probable cause and mandated by law and policy.

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

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

The Complainant alleged that the named employees were biased against her based on her disability status.

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 disability status. *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. While the named employees were aware of the Complainant's disability status, they did not treat her differently on that basis. Rather, NE#2 focused her investigation on determining whether a crime had occurred, requiring her to interview both parties separately and examine the physical evidence. As noted above, the investigation established probable cause for DV assault, requiring the named employees to execute a mandatory arrest. OPA observed no evidence of bias in this case.

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

Recommended Finding: **Not Sustained – Unfounded (Expedited)**

Named Employee #2 – Allegation #1

15.410 – Domestic Violence Investigation, 15.410-POL-2. Officers Make Arrests with Probable Cause

For the reasons articulated in Named Employee #1 – Allegation #1, OPA recommends that this allegation be Not Sustained – Lawful and Proper (Expedited).

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

Named Employee #2 – Allegation #2

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

For the reasons articulated in Named Employee #1 – Allegation #2, OPA recommends that this allegation be Not Sustained – Unfounded (Expedited).

Recommended Finding: **Not Sustained – Unfounded (Expedited)**