



CLOSED CASE SUMMARY

ISSUED DATE: SEPTEMBER 2, 2025

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

CASE NUMBER: 2025OPA-0098

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 (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	5.001 – Standards and Duties, 5.001-POL-10. Employees Will Strive to be Professional	Not Sustained - Unfounded (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 driving under the influence (DUI) investigation on a road. The Complainant was present at the scene but uninvolved in the investigation. The Complainant alleged that NE#2 tried to intimidate him, that NE#1—a sergeant—failed to take his complaint seriously when he reported NE#2’s conduct, and that the named employees were racially biased against Black people.

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 May 5, 2025, OIG certified OPA’s investigation as thorough, timely, and objective.

SUMMARY OF INVESTIGATION:

OPA’s investigation included reviewing the incident report and body-worn video (BWV). The Complainant did not participate in an OPA interview. Based on these records, OPA finds the following occurred.



On March 24, 2025, NE#2 arrived on scene and assisted other officers in arresting a driver suspected of DUI. The Complainant was parked on the side of the road with the driver's side window open while observing the investigation. NE#2 approached the Complainant and asked, "You good? You alright?" The Complainant declined to respond but raised his middle finger at NE#2. The Complainant requested NE#2's identification and accused him of harassment. NE#2 identified himself and claimed to merely ask whether the Complainant was "alright." The Complainant requested a supervisor, claiming that NE#2 had no right to speak to him, a private citizen.

NE#1 arrived on scene and spoke with the Complainant, who accused NE#2 of trying to intimidate him. The Complainant clarified that NE#2's attempt at intimidation was based on NE#2 approaching and continually talking to him. The Complainant also alleged that NE#2's conduct was racially biased because NE#2 chose to contact him, a Black man, rather than an Asian gentleman who was also present. NE#1 said he would review BWV and then provided his business card containing the named employees' and OPA's information.

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 failed to take his complaint seriously when he reported NE#2's conduct.

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.* Employees representing the Department or identifying themselves as police officers or Department employees will not use profanity directed as an insult or any derogatory, contemptuous, or disrespectful language at anyone. *Id.*

OPA finds that NE#1 treated the Complainant's complaint with seriousness. NE#1 arrived at the scene, listened to the Complainant's account, asked clarifying questions, explained that he would review BWV of the encounter, and provided a business card containing the named employees' and OPA's information. Throughout the process, NE#1 did not dismiss or downplay the Complainant's claims of intimidation and racial bias.

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

Recommended Finding: **Not Sustained – Unfounded (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 racially biased against Black people.

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.



The named employees' encounter with the Complainant did not reflect bias in any way. The fact that NE#2 contacted the Complainant instead of an Asian gentleman, who was purportedly nearby, did not suggest racial bias. NE#2 merely inquired whether the Complainant was "good" and "alright" while he observed the DUI investigation. Upon request, NE#1 arrived on scene and gathered relevant information from the Complainant for his bias investigation. Overall, the evidence indicated a professional and unbiased encounter.

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

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

Named Employee #2 – Allegation #1

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

The Complainant alleged that NE#2 tried to intimidate him.

OPA finds that NE#2 did not try to intimidate the Complainant. NE#2's questions ("You good? You alright?") seemed to be aimed at assessing the Complainant's wellbeing, rather than an attempt at intimidation. Once the Complainant raised his middle finger and accused NE#2 of harassment, NE#2 de-escalated the encounter by walking away and requesting a supervisor. There was no indication of intimidation in either NE#2's language or behavior.

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

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