



CLOSED CASE SUMMARY

ISSUED DATE: SEPTEMBER 8, 2025

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

CASE NUMBER: 2025OPA-0103

Allegations of Misconduct & Director's Findings

Named Employee #1

Allegation(s):		Director's Findings
# 1	8.200 – Using Force, 8.200-POL-1. Using Force: When Authorized	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 marina following a disturbance call involving the Complainant, during which NE#1 guided the Complainant to the ground and arrested her for assault. The Complainant alleged that NE#1 applied unauthorized force by slamming her against the ground and beating her.

ADMINISTRATIVE NOTE:

During its intake investigation, OPA identified NE#1 failing to report allegations of “torture” and “police brutality” to either a supervisor or OPA. OPA sent NE#1’s potential violation of SPD Policy 5.002-POL-6 (Employees Will Report Alleged Violations) to his chain of command for Supervisor Action.¹

This case was approved for Expedited Investigation. That means OPA, with the Office of Inspector General’s (OIG) agreement, believed it could issue a recommended finding 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 29, 2025, OIG certified OPA’s investigation as thorough, timely, and objective.

SUMMARY OF INVESTIGATION:

OPA’s investigation included reviewing the computer-aided dispatch (CAD) call report, body-worn video, incident and supplement reports, and interview statements from the Complainant. Based on these records, OPA finds the following had occurred.

On November 14, 2024, SPD officers, including NE#1, responded to a marina following a disturbance call concerning the Complainant, who was reportedly undergoing a mental health crisis and threatening to grab an officer’s gun to

¹ A Supervisor Action generally involves a minor policy violation or performance issue the employee’s supervisor addresses through training, communication, or coaching. See OPA Internal Operations and Training Manual section 5.4(B)(ii).



commit suicide. Upon officers' arrival, the Complainant was found on a boat owned by Community Member (CM#1), who had requested her removal. When the Complainant was unwilling to leave, CM#1 secured his boat and began exiting the gated marina with the officers. As NE#1 reached the open gate, the Complainant quickly approached from behind, prompting NE#1 to raise his hand and instruct her to step back. The Complainant insisted that she would close the gate and proceeded to do so on NE#1, who was at the gate's threshold. In response, NE#1 grabbed the Complainant and guided her to the ground on her back. NE#1 and two officers moved the Complainant away from the gate, rolled her onto her stomach, and handcuffed her. NE#1 informed the Complainant that she was under arrest for assaulting an officer.

ANALYSIS AND CONCLUSIONS:

Named Employee #1 – Allegation #1

8.200 – Using Force, 8.200-POL-1. Using Force: When Authorized

The Complainant alleged that NE#1 applied unauthorized force by slamming her against the ground and beating her.

Sworn employees will only use objectively reasonable, necessary, and proportional force to the threat or urgency of the situation to achieve a law enforcement objective while protecting the life and safety of all people. SPD Policy 8.200(1). Reasonableness must consider that sworn employees are often forced to make split-second decisions about the amount of force necessary in a particular situation in tense, uncertain, dynamic, and rapidly evolving circumstances. *Id.* The question is whether the sworn employee's actions were objectively reasonable considering the facts and circumstances confronting them, without regard to their underlying intent or motivation. *Id.* Several factors should be weighed when evaluating reasonableness. *See id.* Force is necessary under the totality of the circumstances when there is no reasonably effective alternative to using physical or deadly force, and the type and amount of physical or deadly force used is a reasonable and proportional response to effect the legal purpose intended or to protect against the threat posed to the sworn employee or others. SPD Policy 8.050. Proportional force must reflect the totality of circumstances of the situation, including the nature and immediacy of any threats posed to sworn employees and others. *Id.* Sworn employees must rely on training, experience, and their assessment of the situation to decide an appropriate level of force. *Id.*

NE#1 neither slammed the Complainant against the ground nor beat her. In fact, NE#1 did not apply any reportable force throughout his encounter with the Complainant. To the extent that NE#1 applied *de minimis* force² by grabbing the Complainant and guiding her to the ground, such force was objectively reasonable, necessary, and proportional under the circumstances. Before the Complainant quickly and unexpectedly approached NE#1, the scene was secure as CM#1 and SPD officers, including NE#1, were departing. Then, without any provocation, the Complainant suddenly appeared and invaded NE#1's personal space to such an extent that it compelled NE#1 to create distance with his arm. The Complainant disobeyed NE#1's order to maintain distance and attempted to close the gate on him while he was at the threshold. NE#1 was also aware of the Complainant's reported mental health crisis and the threat of grabbing an officer's gun to commit suicide. Given the Complainant's confrontational disposition and the possible threat she posed to NE#1 in such proximity, NE#1 applied lawful and proper force by guiding the Complainant to the ground to facilitate a lawful arrest.

² *De minimis* force is an action meant to separate, guide, and/or control without using control techniques that are intended to, or are reasonably likely to, cause pain or injury. Examples include, but are not limited to, using hands or equipment to stop, push back, separate, or escort, and using compliance holds without using sufficient force to cause pain. SPD Policy 8.050.



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

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