


**Issued Date:** November 11, 2025

**From:** Interim Director Bonnie Glenn  
Office of Police Accountability



**Case Number:** 2025OPA-0148

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**Allegations of Misconduct & Director's Findings**

**Named Employee #1**

1. **Allegation #1:** 8.200 - Using Force, 1. Use of Force: When Authorized  
**Finding:** Not Sustained - Lawful and Proper
  2. **Allegation #2:** 8.200 – Using Force, 2. Use of Force: When Prohibited  
**Finding:** Allegation Removed
  3. **Allegation #3: 13.010** - Collisions Involving Department Vehicles-3. Employees Will Notify a Sergeant of Department Vehicle Collisions  
**Finding:** Not Sustained - Training Referral
  4. **Allegation #4:** 13.080 – Use of Department Vehicles, 13.080-POL 11. Prohibited Activities During Use of Department Vehicles  
**Finding:** Not Sustained - Unfounded
  5. **Allegation #5:** 5.001 - Standards and Duties POL-10. Employees Will Strive to be Professional  
**Finding:** Not Sustained - Unfounded
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**This Closed Case Summary (CCS) represents the opinion of the OPA Director regarding the misconduct alleged and therefore sections may be written in the first person.**

**Executive Summary:**

The Complainant alleged Named Employee #1 (NE#1) struck Community Member #1 (CM#1) with his police vehicle, yelled at CM#1, and grabbed CM#1 by the arms.

## **Administrative Note:**

On October 2, 2025, the Office of Inspector General certified this investigation as timely, thorough, and objective.

## **Summary of the Investigation:**

The Complainant, an uninvolved bystander, observed part of an interaction between NE#1 and CM#1. The Complainant wrote there was an “escalated verbal exchange” between CM#1 (“a black man”) and NE#1 (“a white man”). The Complainant wrote CM#1 was on his phone walking at the front of NE#1’s vehicle when “I saw the officer move his vehicle forward and bump into the gentleman [CM#1].” The Complainant wrote that CM#1 yelled he was trying to get NE#1’s “information,” and that NE#1 exited the vehicle while “emotionally escalated,” then grabbed CM#1 by the arms while saying “That’s it!”

OPA investigated this complaint by reviewing the web-based complaint, two associated computer-aided dispatch (CAD) call reports, associated incident report, in-car video (ICV), and body-worn video (BWV). OPA also interviewed the Complainant and NE#1. OPA attempted to contact CM#1 at the three phone numbers OPA identified as associated with him. These attempted were not successful and, so, OPA did not interview CM#1.

### Computer-Aided Dispatch Information

On April 27, 2025, SPD officers were dispatched to a disturbance in which CM#1 was not involved. While addressing the disturbance, CM#1 approached the officers and interrupted their investigation. Around 10:56am, an officer updated dispatch that a “second person”—later determined to be CM#1—was causing a disturbance. NE#1 arrived on scene at about 11:00am and, seven minutes later, updated that CM#1 was “running up to car and trying to cause more [disturbances].” NE#1 updated the call to note he would continue monitoring CM#1. At about 11:09am, NE#1 updated the call that he would attempt to detain CM#1 under the Involuntary Treatment Act. See RCW 71.05.153(2) (permitting detention where a person is suffering from a behavioral health disorder and presents an imminent risk of serious harm or danger). A sergeant was requested about a minute later. A separate call number was created from the initial disturbance, which NE#1 closed with a note that CM#1 was intoxicated, running into cars, and released to his girlfriend after screening with a sergeant.

### Body-Worn Video and In-Car Video

NE#1’s BWV and ICV depicted his entire interaction with CM#1. When NE#1 arrived on scene, CM#1 was arguing with two SPD officers. The officers repeatedly reminded CM#1 that he said he was going to leave, moved out CM#1’s way, and gestured that he was free to leave. CM#1 shouted at officers and refused to leave. NE#1 tried to coax CM#1 to walk away from the scene, asking him to “just leave it.” CM#1 then asked for one of the other officer’s badge numbers. CM#1 was told he could wait, as that officer was engaged with another community member at that time. CM#1 slurred his words, yelled, and continued arguing with officers while they continued

investigating the original disturbance. The other officer approached and provided his name and badge number. CM#1 then repeatedly requested to “have” that officer’s “ID card,” yelling at him and following him to a police vehicle. NE#1 told CM#1 he would get him the other officers ID card. During this time, CM#1 did not appear to be processing information that the officers provided him. For example, CM#1 repeatedly said that NE#1 was a “sergeant.” NE#1 corrected him multiple times. At one point, CM#1 yelled, “You should be a sergeant though, you bitch ass!”

NE#1 expressed concern for CM#1’s safety, since CM#1 was walking in a driving area of the parking lot and appeared intoxicated. CM#1 responded to this by screaming at NE#1 and asking him “how” he was intoxicated. When NE#1 responded he could smell the alcohol on CM#1, CM#1 screamed, “It doesn’t matter if you can smell it!”

All the officers attempted to leave the scene. NE#1 returned to his police vehicle and backed out of a parking space. As NE#1 drove in reverse, CM#1 followed, walking close to NE#1’s front bumper while staring directly at his cell phone.



*Image from NE#1’s ICV depicting CM#1 walking immediately in front of NE#1’ right front bumper. CM#1 is holding a cell phone in both hands. CM#1’s head is angled down towards his phone.*

As NE#1 continued to drive in reverse, CM#1 continued to walk directly to the front of NE#1’s vehicle. NE#1 sounded his air horn. CM#1 did not appear to react or change his behavior in any way in response to the air horn. NE#1 then shifted, pushing his gear shift down as NE#1’s vehicle appeared to continue moving back and coming to a stop. CM#1 continued to walk in front of NE#1’s vehicle while staring at his cell phone. NE#1 then pushed his gear shift up. As NE#1 did so, his vehicle appeared to move forward very slightly. This happened simultaneously with CM#1 continuing to walk immediately next to NE#1’s front bumper. CM#1 and NE#1’s front bumper made physical contact.



*Image from NE#1's ICV depicting CM#1 walking immediately in front of NE#1' right front bumper. CM#1 is holding a cell phone in both hands. CM#1's head is angled down towards his phone.*

NE#1 then hit his gear shift in an up motion before exiting his vehicle. It was not clear if this changed the gear. CM#1 yelled "dude!" and "I'm not even doing nothing!" NE#1 told CM#1 "that's it," grabbed CM#1's right triceps area, and guided him as the two walked to the sidewalk area. NE#1 stated, "go over here." NE#1 returned to his car. CM#1 again walked in front of NE#1's vehicle. NE#1 used the PA system of his car to state, "move." CM#1 walked away from the front of NE#1's vehicle. NE#1 drove his vehicle to another part of the parking lot before deactivating his BWV and ICV.

About one or two minutes later, NE#1 reactivated both his BWV and ICV. NE#1's BWV showed him making a call but did not record the audio as the BWV was in a buffering period. NE#1 exited his vehicle and CM#1 approached, requesting NE#1's sergeant. NE#1 told CM#1 he was not free to leave because he was a danger to himself as he was "running into cars." CM#1 then yelled, "No, he rolled over my foot!" while indicating in a direction away from NE#1.



*Image from NE#1's BWV showing CM#1 pointing towards his right.*

When NE#1 said he would take CM#1 to the hospital, CM#1 requested the police. CM#1 also insisted NE#1 was “not the police” because “you guys rolled over my foot!” NE#1 told CM#1 that no one rolled over his foot and that, instead, CM#1 was hitting cars, which caused another community member to complain. NE#1 told other officers he intended to ITA CM#1 because a community member expressed concern about CM#1 putting himself in the middle of the road. CM#1 continued screaming at NE#1 that he caught it “on camera,” repeatedly saying “he rolled over my foot!” and “you fucked up!” Later, CM#1 started accusing NE#1 of “pushing him,” “stepping on” his foot, and “rolling over” his foot. CM#1 also repeatedly yelled at NE#1, “Did I not go to store?” NE#1 stated that CM#1 had approached another vehicle earlier and “punched” the vehicle, which caused its driver to request police assistance to not be charged with a “hit-and-run.” NE#1 said this person was not still on scene.

Community Member #2—later determined to be CM#1’s girlfriend—arrived and requested to take CM#1 with her. Supervisor #1, an acting sergeant, arrived on scene and spoke to CM#1. CM#1 told Supervisor #1 that NE#1 pushed him, then later said NE#1 and another officer pushed him. Later, Supervisor #1 determined CM#1 had a small cut on his hand. Supervisor #1, CM#1, and CM#2 spoke. During this time, CM#1 repeatedly fumbled with and dropped a quantity of cash he had, CM#1 and CM#2 yelled both at each other and at Supervisor #1, and CM#2 stated she would take CM#1 to a bus stop. CM#1 provided his name and date of birth to the officers, who ran a records check on CM#1. CM#1 also accused NE#1 of pushing him as he was “walking through the store.” Officers then allowed CM#1 to leave with CM#2 instead of detaining CM#1 under the ITA.

#### OPA Interview – Named Employee #1

OPA interviewed NE#1, who provided his recollection of the incident. NE#1 said he responded to the scene after another officer requested backup to handle CM#1, who was behaving in a belligerent manner on scene. NE#1 described CM#1 as argumentative, highly intoxicated, slurring his speech, not making sense, and emitting a strong odor of alcohol.

NE#1 said that, after the investigation was concluded, he got into his vehicle to leave. CM#1 followed his vehicle as he was backing up, getting very close to his front bumper. NE#1 stated he put his car in park and CM#1 walked into his bumper. NE#1 said he exited and redirected CM#1 to the side of the road where he would be safer. NE#1 said CM#1 did not complain of any injuries or pain. NE#1 described the contact between his vehicle and CM#1 as minimal, noting he did not call a sergeant at that time because CM#1 walked into the vehicle. NE#1 stated he did not put the car into drive to use the vehicle as a force tool. NE#1 did not characterize the incident as a collision because CM#1 walked into the vehicle. NE#1 said, despite not considering this a collision, he still notified his supervisor.

OPA asked NE#1 why he contacted CM#1 about a minute later. NE#1 stated he remained nearby to observe CM#1. NE#1 said CM#1 was walking between traffic and that a community member complained about him. NE#1 said CM#1 was either punching or kicking vehicles. NE#1 said he was going to ITA CM#1 and was waiting for more officers and an ambulance to arrive.

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## **Analysis and Conclusions:**

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

#### **8.200 – Using Force, 1. Use of Force: When Authorized**

The Complainant alleged that NE#1 hit CM#1 with his vehicle and “grab[bed]” CM#1 by the arms.

SPD Policy 8.200-POL-1 requires that force used by officers be “objectively reasonable, necessary, and proportional to the threat or urgency of the situation, to achieve a law enforcement objective while protecting the life and safety of all persons.” Whether force is objectively reasonable depends “on the totality of the circumstances” known to the officers at the time of the force and must be balanced against “the rights of the subject, considering the circumstances surrounding the event.” SPD Policy 8.050. Reasonableness must be judged from perspective of a reasonable officer at the scene, *id.*, and allow for the fact that officers are often forced to make “split-second decisions” in tense, dynamic circumstances. SPD Policy 8.200-POL-1. The policy also lists several factors that should be weighed when evaluating reasonableness. See *id.* Force is necessary where no reasonably effective alternative to the use of force appeared to exist and “the type and amount” of force used was reasonable and proportional to effect the lawful purpose intended or to protect against the threat. SPD Policy 8.050. Lastly, the force used must be proportional, reflecting the totality of the circumstances, including the nature and immediacy of any threats. *Id.*

OPA finds, by a preponderance of the evidence, that NE#1 did not intentionally hit CM#1 with his vehicle. Comparing NE#1’s BWV, ICV, and OPA interview, OPA finds that while CM#1 was walking extremely close to the front of NE#1’s bumper, NE#1 shifted his vehicle from “drive” into

either “park” or “neutral.” This caused NE#1’s vehicle to roll or adjust forward slightly, making incidental contact with CM#1. Although this technically caused physical contact between CM#1 and NE#1, this sort of unintentional and incidental contact does not rise to the level of a policy violation based on the use of force, in review of the totality of the circumstances. OPA will assess whether NE#1 violated department policy concerning the use of department vehicles below. Were this the only aspect of the use of force allegations, OPA would remove it.

Separately, NE#1’s use of de minimis force—holding CM#1 by the arm—to guide CM#1 to the side of a roadway was lawful and proper. OPA credits NE#1’s recollection that CM#1 was extremely intoxicated. BWV corroborated that CM#1 displayed multiple verbal, cognitive, and behavioral indications of being intoxicated. Moreover, BWV and ICV corroborated NE#1’s description of CM#1 walking in the roadway, directly in front of NE#1’s vehicle, apparently oblivious to the danger of doing so and disregarding clear audible signals (an air horn) to move. The use of de minimis force to relocate CM#1 to the side of the road for his own safety and to clear CM#1 from the front of NE#1’s vehicle was objectively reasonable, necessary, and proportional to effect this lawful purpose.

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

Recommended Finding: **Not Sustained – Lawful and Proper**

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

#### **8.200 – Using Force, 2. Use of Force: When Prohibited**

The Complainant alleged that NE#1 used prohibited force against CM#1.

SPD Policy 8.200-POL-2 outlines situations in which force is prohibited, with very limited exceptions. These include the use of neck or carotid restraints, force used to punish or retaliate, force used on restrained subjects, or force used against verbally confrontive subjects.

OPA finds this allegation is duplicative of Allegation #1 regarding the vehicle and is removing it.

Accordingly, OPA removed this allegation.

Recommended Finding: **Allegation Removed**

### **Named Employee #1 – Allegation #3**

#### **13.010 – Collisions Involving Department Vehicles-3. Employees Will Notify a Sergeant of Department Vehicle Collisions**

It was alleged that NE#1 failed to notify a sergeant of a collision with CM#1.

SPD Policy 13.010-POL-3 requires employees to notify a sergeant of all department vehicle collisions.

OPA finds that NE#1 potentially violated policy, but that any violation was not willful and did not rise to the level of misconduct. Although OPA finds that, more likely than not, NE#1's vehicle rolled slightly into CM#1, this would not have been obvious from NE#1's perspective. OPA credits NE#1's perception that CM#1 walked into the front of his vehicle, even if OPA believes it more likely that NE#1's vehicle also moved slightly forward as NE#1 abruptly put the vehicle into park. BWV and ICV showed that CM#1 was walking within inches or closer of NE#1's front bumper and, as NE#1 put the vehicle into park, he was also reaching for his door handle to exit. Under these circumstances, it remains possible that CM#1 did, in fact walk into NE#1's bumper, or that NE#1 reasonably perceived that to have occurred.

However, under these circumstances, NE#1 still should have explicitly reported this to his sergeant. First, even if CM#1 walked into NE#1's vehicle, given that NE#1 was simultaneously shifting into park, it was arguably a "collision" between a person and vehicle. Cf. SMC 11.56.410 (defining an "accident" as a "collision" between "a vehicle and a person"). Second, CM#1 repeatedly accused NE#1 of running over his foot. OPA recognizes that CM#1's allegations were—at best—unclear, inconsistent, and often impossible. Here, based on the angle of any contact between NE#1's vehicle and CM#1 and in review of the evidence provided, the evidence showed there was no way NE#1 "ran over" CM#1's foot. But the more prudent course would have been for NE#1 to clearly report the allegation to his supervisor, however unfounded. See OPA Manual 8.1 (providing a process for field supervisors to document and screen allegations that are "clearly refuted by evidence" with OPA). Finally, OPA also recognizes that NE#1 did inform his supervisor that CM#1 was "running into cars," but did so in the context of the other car CM#1 putatively ran into. NE#1 should have explicitly told his supervisor that one of those cars was his own.

Accordingly, OPA recommends that this allegation be Not Sustained – Training Referral.

- **Required Training:** NE#1's chain of command should discuss OPA's findings with him, review SPD Policy 13.010-POL-3 with him, and provide any other retraining and counseling it deems necessary. Any retraining and counseling should be documented and maintained in Blue Team.

Recommended Finding: **Not Sustained – Training Referral**

#### **Named Employee #1 – Allegation #4**

#### **13.080 – Use of Department Vehicles, 13.080-POL 11. Prohibited Activities During Use of Department Vehicles**

It was alleged that NE#1 operated his vehicle in an unsafe manner.

SPD Policy 13.080-POL-11 (effective 03/14/2018) prohibits SPD employees from "driving in a manner that is discourteous or aggressive, unless necessary to effect a recognized law

enforcement purpose.”

As set forth above, OPA finds that NE#1 was attempting to shift his vehicle into park in order to exit the vehicle to address CM#1’s unsafe behavior. This unsafe behavior included walking within inches or closer of NE#1’s front bumper while NE#1 was backing up. OPA takes notice of the fact that vehicles that are shifted abruptly into park can continue to shift slightly—such as if they are on any kind of incline—or move on their suspensions. The slightly movement of NE#1’s vehicle here was not inconsistent with such a shift. Also, OPA cannot ignore that a significant amount of the “discourteous or aggressive” behavior at that moment was on the part of CM#1, who closely approached a moving vehicle while completely ignoring his surroundings. Finally, to the extent NE#1’s driving could be characterized as unsafe, there were no apparent injuries caused by the incidental contact. OPA notes that CM#1’s hand was clearly visible in ICV and did not contact NE#1’s vehicle, which corroborates NE#1’s account that this injury could have occurred by punching another car in the lot. Under these circumstances, OPA cannot find that NE#1 operated his vehicle in a “discourteous or aggressive” manner.

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

Recommended Finding: **Not Sustained – Unfounded**

#### **Named Employee #1 – Allegation #5**

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

The Complainant alleged that NE#1 yelled at CM#1 in an “emotionally escalated” manner.

SPD Policy 5.001-POL-10 requires that SPD employees “strive to be professional.” The policy further instructs that “employees may not engage in behavior that undermines public trust in the Department, the officer, or other officers” whether on or off duty. SPD Policy 5.001-POL-10. Additionally, the policy instructs Department employees to “avoid unnecessary escalation of events even if those events do not end in reportable uses of force.” Id.

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

Recommended Finding: **Not Sustained – Unfounded**