

Issued Date: October 31, 2025

From: Interim Director Bonnie Glenn
Office of Police Accountability



Case Number: 2025OPA-0169

Allegations of Misconduct & Director's Findings

Named Employee #1

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

Finding: Not Sustained - Unfounded

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 reported she was sexually assaulted by Community Member #1 (CM#1) on October 7, 2021. She initially reported her assault the next day, on October 8, 2021, to the Snohomish County Sheriff's Office (SCSO), which referred the case to SPD's Sexual Assault Unit (SAU). Named Employee #1 (NE#1) conducted the investigation, which was referred to the King County Prosecuting Attorney's Office (KCPAO). KCPAO declined to charge the case. The Complainant alleged NE#1 did not conduct a thorough investigation, specifically by not interviewing the subject, timely requesting video evidence, or interviewing witnesses.

Administrative Note:

On August 11, 2025, the Office of Inspector General certified OPA's investigation as thorough, timely, and objective.

Summary of the Investigation:

The Complainant filed a pro se lawsuit against CM#1, a Nightclub, and SPD. In her lawsuit, the Complainant alleged SPD failed to conduct an adequate investigation into her reported sexual assault. Specifically, she alleged SPD did not collect DNA or interview CM#1 and failed to timely collect video from the Nightclub.

OPA investigated the Complainant's allegations by reviewing her civil complaint, the computer-aided dispatch (CAD) call report for the incident, SPD Case Investigation Report (CIR) and incident report, KCPAO Declination Memorandum, Audio and Video of Interviews, and News Articles. OPA also interviewed NE#1. OPA finds that, more likely than not, the following occurred.

1. Investigation Summary

On October 8, 2021, SCSO responded to a hospital to take the Complainant's report that she was sexually assaulted at a Nightclub in Seattle. The Complainant described dancing for CM#1, who assaulted her "soon after the dance was complete." The Complainant reported CM#1 later tried to "buy a private dance" with her, but she declined. The Complainant said she cashed out at work before going to the hospital. The Complainant completed a sexual assault kit (SAK) at the hospital, and the incident was referred to SPD SAU.

A sergeant at SPD SAU opened the case on October 20, 2021. NE#1 was assigned to the case the next day, October 21, 2021. NE#1 contacted SCSO that same day for evidence, reviewed the SCSO report, and completed a records check for CM#1. On October 22, 2021, NE#1 attempted to contact the Complainant, but was unable to get ahold of her. That same day, NE#1 went to the Nightclub where he spoke to a manager, who claimed they had not been aware of the allegations until a media reporter had started asking questions that morning. The manager provided information details of how the business is run for NE#1 and provided contact information for a human resources (HR) representative. NE#1 attempted to contact the HR representative, but she did not answer. NE#1 also made multiple attempts to contact the Complainant by multiple methods but did not reach the Complainant until October 28, 2021. The two arranged for the Complainant to be interviewed on November 2, 2021.

On October 29, 2021, NE#1 received a package from SCSO with physical evidence and the Complainant's recorded statement (which was summarized above). NE#1 reviewed this the same day.

On November 2, 2021, NE#1 interviewed the Complainant. Her statement during this interview was broadly consistent with her statement to SCSO but differed in the timeline of the first assault. The Complainant also mentioned during this interview that another female dancer was nearby and may have seen the incident, but the Complainant did not know her name.

NE#1 received the Complainant's SAK on November 10, 2021. He completed the DNA request paperwork and submitted the SAK to the crime lab on November 16, 2021. On January 26, 2022, NE#1 received the report from the crime lab indicating that there was "no male DNA" found in the kit. NE#1 submitted his investigation to KCPAO that same day.

KCPAO reviewed NE#1's investigation and, on January 31, 2022, returned it requesting NE#1 execute a search warrant for video and photographs from the Nightclub. NE#1 executed that search warrant on February 9, 2022. SPD took pictures of the interior of the Nightclub but did not recover video footage as it was no longer retained. In the declination memorandum, KCPAO noted that "[w]hile there were surveillance cameras positioned throughout the club, there were no cameras directly showing the main dance booth area," which is where the Complainant alleged the assault took place. KCPAO did note that video might have shown the movements of the Complainant, CM#1, and identities of possible witnesses. KCPAO also noted the Nightclub managers were not interviewed, the other dancer was never identified, and CM#1 "was not contacted for an interview."

More than a year later, on June 27, 2023, NE#1 and KCPAO conducted a joint interview of the Complainant. During this interview, the Complainant described two separate incidents of alleged sexual assault by CM#1, the first occurring in the main dance booth area, the second occurred in the private dance area. KCPAO noted in their declination memorandum that this was the first time the Complainant mentioned the second assault and that, previously, the Complainant denied going back to the private dance area with CM#1.

2. OPA Interview – Named Employee #1

OPA interviewed NE#1 on July 29, 2025. NE#1's description of his investigation was consistent with the information above. NE#1 described the Nightclub as uncooperative with his investigation and, after the crime lab confirmed a lack of DNA evidence, he and the KCPAO prosecutor assigned at the time (KCPAO #1) determined a warrant would be the last opportunity to collect evidence. NE#1 said he learned the Nightclub's video system rewrote itself every seven to ten days, so he was unable to obtain video. NE#1 also noted the Nightclub's business records lacked details and that KCPAO #1 was able to provide a list of names who were "potentially" working on the night of the incident.

NE#1 described submitting the information he had to KCPAO but also noted SPD SAU was significantly understaffed during this period—a characterization corroborated by contemporaneous news reports. Notably, NE#1 described needing to pull in his sergeant and lieutenant to assist with executing the warrant, an extraordinary step, due to low staffing. NE#1 noted KCPAO did not make a final decision on the case until 2023, after two joint interviews were conducted, one of which he was present for. NE#1 explained that, by this time, a new prosecutor had been assigned,

KCPAO #2. NE#1 noted that there were inconsistencies in the Complainant's account of the assaults and KCPAO #2 determined they would not be able to move forward due to lack of evidence.

NE#1 described being unable to locate any contact information for CM#1, despite making multiple attempts, including pulling Department of Licensing information from CM#1's putative state of residence.

Overall NE#1 characterized his investigation as thorough and complete. NE#1 noted the investigation was hampered by the Nightclub being uncooperative, delay in receiving the case and making contact with the Complainant, an inability to contact CM#1, and low staffing. NE#1 also noted that the absence of DNA evidence was "considerably more concrete than potential video evidence," especially given the nature of assault alleged, and that, given the timeline for the Nightclub video overwriting itself, this evidence may have already been gone by the time he first received the case.

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 failed to conduct a thorough and complete search for evidence.

SPD Policy 15.180-POL-1 requires that, in primary investigations, officers conduct a thorough and complete search for evidence. The policy further requires officers to collect evidence and states that only evidence that is impractical to collect shall be retained by the owner. SPD Policy 15.180-POL-1.

As an initial matter, OPA notes that follow-up investigations such as this one are different from "primary" investigations where officers respond the scene of a crime shortly after it occurred. While follow-up investigations must contain certain "minimum components," they are ultimately prepared to "satisfy standards established by the prosecuting attorney's office," with the assigned detectives "respond[ing] to requests for additional information from the prosecutor." SPD Policy 15.080-POL-2 – Follow-Up Unit Investigation. By their nature, the course of follow-up investigations depend on "the particular facts of the incident." Id. This differs from primary investigations where responding officers must immediately conduct a "thorough and complete search for evidence," given their presence at the scene during or shortly after the incident. See SPD Policy 15.180 – Primary Investigations.

Here, NE#1 first received the case nearly two weeks after the incident occurred. He worked diligently to review the case file, collect evidence, conduct a site visit, and interview the Complainant at a time when SPD SAU was gravely understaffed. He conducted all follow-up investigation requested by KCPAO #1 and KCPAO #2, including executing a search warrant and participating in a joint interview. Ultimately, KCPAO #2 determined the case was legally insufficient to file for a variety of reasons. Key reasons—such as the lack of DNA evidence and potential impeachment material for the Complainant’s testimony—were entirely outside of NE#1’s control. Others, such as the Nightclub’s lack of cooperation and the challenge of contacting CM#1 or the potential witness, NE#1 might possibly have been able to affect through additional efforts to contact CM#1 and other potential witnesses. But OPA cannot find NE#1’s efforts in this case unreasonable in review of the totality of the circumstances, especially given the immense resource strain SPD SAU was under at this time.

OPA recognizes the deep dissatisfaction the Complainant experienced related to the outcome of the criminal investigation. However, OPA is limited to investigating specific allegation of misconduct against SPD employees and, here, cannot find that NE#1’s actions constituted misconduct.

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

Recommended Finding: **Not Sustained – Unfounded**