

**Issued Date:** October 21, 2025

**From:** Interim Deputy Director Nelson Leese (on behalf of Interim Director Bonnie Glenn)  
Office of Police Accountability 

**Case Number:** 2025OPA-0177

---

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

**Named Employee #1**

1. **Allegation #1:** 8.200 – Using Force, 8.200-POL-1. Using Force: When Authorized  
**Finding:** 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 may be written in the first person.**

**Executive Summary:**

Named Employee #1 (NE#1) responded to an assault call and located Community Member #1 (CM#1), the assault suspect. An anonymous complainant alleged that NE#1 “forced a disabled woman down violently from her walker.”

**Administrative Note:**

During its intake investigation, OPA identified NE#1 failing to report CM#1’s demonstrably unfounded rape allegations to either a supervisor or OPA. OPA also identified NE#1 failing to notify CM#1 that she was being recorded. OPA sent NE#1’s potential violations of SPD Policy 5.002-POL-6 (Employees Will Report Alleged Violations) and SPD Policy 16.090-POL-2(1) (Notification of Recording) to his chain of command for Supervisor Action.

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 June 13, 2025, OIG certified OPA's investigation as thorough, timely, and objective.

### **Summary of the Investigation:**

OPA's investigation included reviewing the OPA complaint, computer-aided dispatch call report, body-worn video, and incident report. OPA was unable to reach the Complainant for an interview. Based on these records, a preponderance of the evidence showed the following:

On May 8, 2025, following a 911 call regarding an assault, NE#1 arrived at a store, where personnel identified CM#1 as the assailant. NE#1 approached CM#1, who was using a walker on a sidewalk. NE#1 ordered CM#1 to stop, but she continued walking away and began entering the road. NE#1 grabbed CM#1's arm using both hands. In response, CM#1 tried pulling away, exclaimed that she would not be taken to jail, and alleged NE#1 was trying to rape her. CM#1 then freed her arm and attempted to flee, but NE#1 grabbed her arm again. In response, CM#1 struck NE#1 with her other hand and appeared to fall onto her posterior due to her own actions. NE#1 held CM#1 in a seated position until backing officers arrived, allowing them to handcuff her.

---

### **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 against CM#1.

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 (effective September 1, 2024). 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 did not “violently” force CM#1 down from her walker as alleged. In fact, NE#1 did not apply any reportable force throughout his encounter with CM#1. To the extent that NE#1 applied de minimis force by grabbing CM#1, such force was objectively reasonable, necessary, and proportional under the circumstances. CM#1 was identified as an assault suspect and subsequently disobeyed orders by trying to flee. CM#1 then began entering the road, putting both NE#1 and herself at risk of being struck by oncoming traffic. CM#1 briefly managed to pull away from NE#1, but when he grabbed her again, she struck him with her other hand. CM#1 appeared to have caused herself to fall onto her posterior while NE#1 continued to hold her. Due to CM#1’s aggressive conduct, noncompliance, resistance, and status as an assault suspect, NE#1 applied lawful and proper force by preventing her escape and maintaining her in a seated position before she was handcuffed.

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

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