

**Issued Date:** October 22, 2025

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

**Case Number:** 2025OPA-0181

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

**Named Employee #1**

1. **Allegation #1:** 6.220 – Voluntary Contacts, Terry Stops, and Detentions, 6.220-POL-2 Conducting a Terry Stop, 1. Terry Stops are Seizures Based Upon Reasonable Suspicion  
**Finding:** Not Sustained - Lawful and Proper (Expedited)
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**Named Employee #2**

1. **Allegation #1:** 6.220 – Voluntary Contacts, Terry Stops, and Detentions, 6.220-POL-2 Conducting a Terry Stop, 1. Terry Stops are Seizures Based Upon Reasonable Suspicion  
**Finding:** Not Sustained - Lawful and Proper (Expedited)
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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 named employees (NE#1 and NE#2) responded to a dispute involving the Complainant and his roommate but ultimately detained the Complainant for nearly matching Community Member #1 (CM#1), a felony warrant suspect. The Complainant alleged that the named employees unlawfully detained him while verifying his identity.

**Administrative Note:**

During its intake investigation, OPA identified Witness Supervisor #1 (WS#1) untimely activating his body-worn video when he initially contacted the Complainant. OPA sent WS#1's potential

violation of SPD Policy 16.090-POL-2(2) (When Sworn Employees Record Activity) 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 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 June 16, 2025, OIG certified OPA's investigation as thorough, timely, and objective.

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

OPA investigated this incident by reviewing the OPA complaint, computer-aided dispatch call report, body-worn video, incident report, and interview statements from the Complainant. Based on these records, a preponderance of the evidence showed the following:

On May 14, 2025, the named employees responded to a home due to a dispute between the Complainant and his roommate. Before her arrival, NE#1 conducted a routine check on the Complainant and discovered a "near hit" on a felony warrant for CM#1. Dispatch was unable to verify whether the Complainant matched CM#1. After the named employees arrived, the Complainant reported a dispute he was experiencing with his roommate. Following this discussion, NE#1 handcuffed the Complainant and explained that his name matched that of CM#1, a felony warrant suspect. The Complainant claimed that CM#1 was his twin brother who was incarcerated in another state. He also said they were born minutes apart around midnight, which accounted for the one-day difference in their birthdates. A backing officer arrived, processed the Complainant's fingerprint, and verified that he was not CM#1. NE#1 then released the Complainant. WS#1 arrived and screened the incident.

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### **Analysis and Conclusions:**

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

#### **6.220 – Voluntary Contacts, Terry Stops, and Detentions, 6.220-POL-2 Conducting a Terry Stop, 1. Terry Stops are Seizures Based Upon Reasonable Suspicion**

The Complainant alleged that the named employees unlawfully detained him while verifying his identity.

Terry stops are seizures of an individual and, as such, must be based on reasonable suspicion to be lawful. SPD Policy 6.220-POL-2(1). A Terry stop is a brief, minimally intrusive seizure of a

subject based on reasonable articulable suspicion to investigate possible criminal activity. SPD Policy 6.220-POL-1. Reasonable suspicion means specific, objective, articulable facts, which, taken together with rational inferences, would create a well-founded suspicion that there is a substantial possibility that a subject has engaged, is engaging, or is about to engage in criminal conduct. *Id.* The reasonableness of a Terry stop is based on the totality of the circumstances, the officer's training and experience, and what the officer knew before the stop. *Id.* While information learned during the stop can lead to additional reasonable suspicion or probable cause that a crime has occurred, it cannot justify the original stop. *Id.*

The named employees had reasonable suspicion to detain the Complainant. His and CM#1's birthdates were only one day apart. Despite the difference in their first names, they shared the same middle initial and last name. Furthermore, the warrant information indicated that CM#1 used a first name that matched the Complainant's first name. The physical features of the Complainant and CM#1 showed only minor differences. Given this "near hit," the named employees were justified in detaining the Complainant in handcuffs until further investigation could either verify or refute his identity as CM#1. Once the Complainant's fingerprint was processed, the named employees' reasonable suspicion was dispelled, resulting in his immediate release.

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

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

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

#### **6.220 – Voluntary Contacts, Terry Stops, and Detentions, 6.220-POL-2 Conducting a Terry Stop, 1. Terry Stops are Seizures Based Upon Reasonable Suspicion**

For the reasons articulated in Named Employee #1 – Allegation #1, OPA recommends that this allegation be Not Sustained – Lawful and Proper (Expedited).

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