

**Issued Date:** November 18, 2025

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

**Case Number:** 2025OPA-0200

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### **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)

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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:**

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 26, 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 and supplement reports, and interview statements from CM#1. Based on these records, a preponderance of the evidence showed the following:

On May 24, 2025, SPD officers, including NE#1, responded to a protest occurring at Cal Anderson Park to conduct crowd control. NE#1 observed CM#1 pushing over a fence, prompting NE#1 to enter the crowd to arrest CM#1 for obstruction. NE#1 grabbed CM#1's left arm, moved her to the opposite side of the fence, and positioned her hands behind her back. Just before NE#1 could apply handcuffs, CM#1 moved forward in what appeared to be an effort to escape, prompting

NE#1 to grab the lower part of CM#1's body and guide her toward the ground. CM#1 fell onto her back. While on the ground, CM#1 extended her arms toward NE#1. NE#1 and a backing officer rolled CM#1 onto her stomach and handcuffed her.

### **Analysis and Conclusions:**

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

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

The anonymous complainant alleged that NE#1 used 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 use unauthorized force as alleged. In fact, NE#1 did not use any reportable force throughout his encounter with CM#1. To the extent that NE#1 used de minimis force by grabbing the lower part of CM#1's body and guiding her toward the ground, such force was objectively reasonable, necessary, and proportional under the circumstances. CM#1 attempted to escape during a lawful arrest, authorizing NE#1 to use force to prevent her escape. At this point, CM#1 was not yet handcuffed. Taking CM#1 to the ground to handcuff her was objectively reasonable and necessary. CM#1 did not express any pain when brought to the ground. NE#1 also modulated his force once he secured CM#1 in handcuffs. Overall, NE#1's use of de minimis force against CM#1 was lawful and proper under the circumstances. BWV disproved the Complainant's allegation that NE#1 flipped CM#1 to the ground headfirst.

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

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