

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-0243

Allegations of Misconduct & Director's Findings

Named Employee #1

- 1. Allegation #1:** 15.410 – Domestic Violence Investigation, 15.410-POL-2. Officers Make Arrests with Probable Cause

Finding: Not Sustained - Unfounded (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 a domestic disturbance call involving the Complainant and Community Member #1 (CM#1). Following a domestic violence (DV) investigation, NE#1 declined to arrest CM#1. The Complainant alleged that NE#1 should have arrested CM#1 for DV.

Administrative Note:

During its intake investigation, OPA identified NE#1 failing to clarify a statement from CM#1 which possibly indicated that he was assaulted. OPA sent NE#1's potential violation of SPD Policy 15.180-POL-1 (Officers Shall Conduct a Thorough and Complete Search for Evidence) 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 July 9, 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, and incident report. Based on these records, a preponderance of the evidence showed the following:

On May 26, 2025, NE#1 and his backing officer responded to a domestic disturbance call at CM#1's apartment. CM#1 reported that the Complainant destroyed his belongings following an argument over a conversation he was having with another woman, prompting him to ask her to leave. He said the Complainant was a female friend who had been given access to his apartment. He said they had been intimate only once. He denied any physical altercation. The apartment was in disarray, with a television, laptop, and phone appearing to show damage.

NE#1 and his backing officer encountered the Complainant outside the apartment building. She reported that she and CM#1 had been in an intermittent relationship for about 10 years and had been intimate several times each week. She confirmed an argument had occurred but claimed to own the damaged items. She discussed property and financial disputes she was having with CM#1. She alleged that CM#1 struck the back of her head behind her right ear three times, although she declined a medical evaluation. NE#1 examined the Complainant's head but did not observe redness or swelling. According to the incident report, NE#1 ultimately declined to arrest either party based on "no verifiable third-party witnesses, conflicting accounts, and no discernible injuries based on available evidence."

Analysis and Conclusions:

Named Employee #1 – Allegation #1

15.410 – Domestic Violence Investigation, 15.410-POL-2. Officers Make Arrests with Probable Cause

The Complainant alleged that NE#1 should have arrested CM#1 for DV.

An officer must arrest a person without a warrant when the officer has probable cause to believe the person is age 18 or older and assaulted a family or household member within the preceding four hours, and the officer believes a felonious assault occurred, an assault occurred resulting in bodily injury to the victim (whether visible or not), or any physical action occurred intending to cause another person reasonably to fear imminent serious bodily injury or death. SPD Policy 15.410-POL-2. When the officer has probable cause to believe family or household members assaulted each other, the officer does not have to arrest both people. Id. The officer must arrest the person whom the officer believes to be the primary physical aggressor, considering that the primary physical aggressor is not always the person who struck first, the intent to protect DV victims, the comparative extent of injuries inflicted or serious threats creating fear of physical

injury, and the DV history of each person involved, including whether the conduct was part of an ongoing pattern of abuse. Id.

NE#1 lacked probable cause to arrest CM#1 for DV. As noted in NE#1's incident report, both parties provided conflicting accounts without any corroborating witnesses. The parties also provided conflicting accounts of the status of their relationship, and there was no evidence to corroborate the Complainant's assertion the two were in a dating relationship. Items in CM#1's apartment indicated damage, suggesting an argument had occurred. However, there was insufficient evidence to indicate DV. CM#1 denied any physical altercation, whereas the Complainant alleged that she was assaulted. Yet, the Complainant did not show redness or swelling on her head, denied being in pain, and declined a medical evaluation. NE#1 evaluated the collective evidence but ultimately did not develop probable cause for DV. Under these circumstances, NE#1 appropriately declined to arrest CM#1.

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

Recommended Finding: **Not Sustained – Unfounded (Expedited)**