


**Issued Date:** December 9, 2025

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

**Case Number:** 2025OPA-0247

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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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#### **Named Employee #2**

1. **Allegation #1:** 8.200 – Using Force, 8.200-POL-1. Using Force: When Authorized  
**Finding:** Not Sustained - Lawful and Proper (Expedited)
  2. **Allegation #2:** 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:**

Named Employee #2 (NE#2) initiated a traffic stop on Community Member #1 (CM#1), who eluded before fleeing on foot. NE#2 and Named Employee #1 (NE#1) used force while arresting CM#1. The Complainant alleged that NE#2 unlawfully detained CM#1 by forcibly removing him from a vehicle. The Complainant also alleged that the named employees used unauthorized force by punching CM#1, kneeling on him, and Tasing him.

#### **Administrative Note:**

During its intake investigation, OPA identified Witness Officer #1 (WO#1) failed to activate his body-worn video (BWV) before contacting CM#1. OPA sent WO#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.<sup>2</sup>

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 July 23, 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, BWV, in-car video, privately recorded video, radio audio recordings, incident, supplement, and use-of-force reports, Seattle Fire Department patient care records, photographs, and interview statements from the Complainant and CM#1. Based on these records, a preponderance of the evidence showed the following:

On June 12, 2025, NE#2 initiated a traffic stop on a speeding vehicle, but CM#1, the driver, eluded NE#2 in a residential area. NE#2 later reacquired the vehicle, which had crashed into a tree, and ran after CM#1. CM#1 jumped over a fence and ran alongside a house, with NE#2 following. When CM#1 reached another fence, NE#2 caught up and grabbed CM#1 from behind. The side of the house was severely narrow, enclosed by fences, and cluttered with garbage bins, plants, and yard tools. CM#1 disobeyed multiple commands to get on the ground, remained standing, and tried to pull away from NE#2's grasp. NE#2 maintained control holds for nearly three minutes. During the struggle, CM#1 bit NE#2's hand, causing it to bleed. When backing officers and NE#1 arrived, NE#2 maneuvered CM#1 to the ground, but CM#1 actively resisted and refused to place his arms behind his back, prompting NE#1 to Tase CM#1. The officers repeatedly shouted, "Stop resisting!" The officers eventually handcuffed CM#1, ending the struggle.

### **Analysis and Conclusions:**

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

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

The Complainant alleged that the named employees used unauthorized force by punching CM#1, kneeling on him, and Tasing him.

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-POL-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.*

The named employees used objectively reasonable, necessary, and proportional force against CM#1. NE#2 was alone in a cluttered and confined space that posed a safety risk and was uncertain whether CM#1 was armed. NE#2 used *de minimis* control holds, while CM#1 actively resisted arrest and attempted to pull away. During the struggle, CM#1 assaulted NE#2 by biting his hand, causing it to bleed. NE#2 used lawful and proper force in maneuvering CM#1 to the ground to facilitate handcuffing. Even while restrained against the ground, CM#1 actively resisted, disobeyed commands, and refused to place his hands behind his back. NE#1 was authorized to overcome CM#1's active resistance and noncompliance by Tasing him. NE#1's Taser deployment was proportional and effective, as it induced CM#1 to surrender. Contrary to the Complainant's allegation, BWV did not show any officer punching CM#1. Overall, the named employees used lawful and proper force under the circumstances.

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

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

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

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

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)**

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

##### **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 NE#2 unlawfully detained CM#1 by forcibly removing him from a vehicle, which subsequently rolled down a hill and crashed.

*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.*

NE#2 did not forcibly remove CM#1 from a vehicle. The vehicle also did not roll down a hill and crash. Rather, when NE#2 located the vehicle, it had already crashed into a tree. NE#2 did not cause this collision, as NE#2 was searching for CM#1 at the time. NE#2 also had reasonable suspicion to detain CM#1 for multiple traffic offenses, including speeding, eluding, reckless driving, and hit and run—all of which were captured on in-car video.

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

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

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**Footnote 1.** The OPA Director may designate a civilian OPA Deputy Director to “perform such duties and have such powers as the OPA Director may prescribe and delegate.” Seattle Ordinance 125315, Council Bill 118969, subchapter I, section 3.29.100(B).

**Footnote 2.** A Supervisor Action generally involves a minor policy violation or performance issue the employee's supervisor addresses through training, communication, or coaching. See OPA Internal Operations and Training Manual section 5.4(B)(ii).