

Issued Date: December 15, 2025

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

Case Number: 2025OPA-0260

Allegations of Misconduct & Director's Findings

Named Employee #1

1. **Allegation #1:** 15.180 – Primary Investigations, 15.180-POL-5. Officers Shall Document all Primary Investigations on a Report

Finding: Not Sustained - Unfounded (Expedited)

2. **Allegation #2:** 6.180 – Searches-General, 1. Officers May Only Make Searches Pursuant to a Search Warrant, Unless a Specific Exception Applies

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), a field training officer, and his student officer, Witness Officer #1 (WO#1), responded to a call involving a dog that had been stranded on an apartment balcony for several days, with the owner's whereabouts unknown. The Complainant, the dog's owner, alleged that NE#1 unlawfully entered his apartment and prepared an inaccurate incident report.

Administrative Note:

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 employee. As such, OPA did not interview the named employee in this case.

On July 30, 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 (CAD) call report, body-worn video (BWV), 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 June 26, 2025, multiple residents of an apartment building reported to SPD that a dog had been stranded on a balcony for several days, while the Complainant's whereabouts were unknown. They also reported that they had not seen the Complainant for an extended period and were unable to contact him. NE#1 and WO#1 arrived at the Complainant's apartment and announced their presence but received no reply. WO#1, with NE#1's approval, breached the Complainant's door, searched the apartment, and found the dog on the balcony. The Complainant was not home, and the dog was later taken to an animal shelter.

Following this incident, WO#1 prepared an incident report documenting a community caretaking justification for the warrantless entry. He wrote, "I felt it necessary to enter the apartment due to numerous reports of a dog left on a balcony the past 48-72 hours. In those reports, it is stated by all parties that the dog will constantly and consistently bark and yelp all day, and well into the night (reportedly 0300 hours). I felt it reasonable to believe if a dog is barking that much, the owner at some point would address the dog, or bring them inside. However, it was concerning to me that none of the reporting parties had seen [the Complainant] or were able to contact him at all. I believed with the present circumstance at the time, [the Complainant] could very well have been deceased or dying, which would have rendered him unable to tend to the dog, causing the numerous reports."

Analysis and Conclusions:

Named Employee #1 – Allegation #1

15.180 – Primary Investigations, 15.180-POL-5. Officers Shall Document all Primary Investigations on a Report

The Complainant alleged that NE#1 prepared an inaccurate incident report.

Officers must document all primary investigations in a report. SPD Policy 15.180-POL-5. All reports must be complete, thorough, and accurate. *Id.*

The Complainant believed the incident report described his apartment as "vacant," which was not the case. Rather, WO#1 authored a complete, thorough, and accurate report that was consistent with BWV observations. OPA found no evidence to suggest the report was in any way inaccurate.

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

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

Named Employee #1 – Allegation #2

6.180 – Searches-General, 1. Officers May Only Make Searches Pursuant to a Search Warrant, Unless a Specific Exception Applies

The Complainant alleged that NE#1 unlawfully entered his apartment.

Officers are prohibited from searching without a valid search warrant unless a specific exception applies. SPD Policy 6.180(1). The need to protect or preserve life, avoid serious injury, or protect property in danger of damage may justify an entry that would otherwise be illegal absent an emergency. SPD Policy 6.180-POL-1. A community caretaking search does not require probable cause but must be motivated solely by the perceived need to render aid or assistance. *Id.* Officers will act under a community caretaking role in emergency action, not in their evidence-gathering role. *Id.* An officer may conduct a warrantless community caretaking search when: (1) the officer has a subjective belief that someone likely needs assistance for health or safety concerns; (2) a reasonable person in the same situation would similarly believe there is a need for assistance; (3) there is a reasonable basis to associate the need for assistance with the place searched; (4) there is an imminent threat of substantial bodily injury to persons or substantial damage to property; and (5) a specific person or property needs immediate help for health or safety reasons. SPD Policy 6.180-POL-1(1).

WO#1, with NE#1's approval, lawfully entered the Complainant's apartment based on community caretaking grounds. Multiple residents reported a dog that had been unattended for several days. The Complainant's whereabouts were unknown. No one had seen him or been able to contact him for an extended period. The totality of these circumstances indicated a dog owner who might have needed assistance for health or safety concerns. Since the community caretaking factors articulated in SPD Policy 6.180-POL-1 were satisfied, NE#1 and WO#1 lawfully entered the Complainant's apartment without the need for a warrant.

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

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

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).