


Issued Date: January 1, 2026

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

Case Number: 2025OPA-0294

Allegations of Misconduct & Director's Findings

Named Employee #1

1. **Allegation #1:** 9.020 – Uniforms, 9.020-POL-5. All Outward Facing Uniform Items Include Proper Identifying Markings (Effective December 1, 2022)
Finding: Not Sustained - Unfounded
 2. **Allegation #2:** 5.001 – Standards and Duties, 5.001-POL-10. Employees Will Strive to be Professional
Finding: Not Sustained - Inconclusive
 3. **Allegation #3:** 5.001 – Standards and Duties, 5.001-POL-7. Employees Engaged in Department-Related Activities Identify Themselves When Requested
Finding: Not Sustained - Inconclusive
 4. **Allegation #4:** 5.001 – Standards and Duties, 5.001-POL-14. Retaliation is Prohibited
Finding: Not Sustained - Inconclusive
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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 #1 (NE#1) conducted traffic control near T-Mobile Park and Lumen Field and encountered Community Member #1 (CM#1), who was attempting to cross a street. CM#1 alleged that NE#1 was unrecognizable as a police officer due to an outdated and faded SPD label on NE#1's vest; that NE#1 was unprofessional by refusing to answer questions and shouting at him to vacate the street using swear words; that NE#1 refused to provide a badge number when asked and shoved him in response; and that NE#1 threatened to arrest him after his request for a badge number.

Administrative Note:

On December 5, 2025, the Office of Inspector General (OIG) certified OPA's investigation as thorough and timely but declined to certify it as objective. OIG raised concerns regarding what it perceived as the OPA investigator questioning the legality of the CM#1's actions and continuing a line of questioning that ultimately caused CM#1 to stop responding to OPA's questions. OIG opined that this created the impression that OPA was defending NE#1's actions, rather than conducting an independent investigation. OPA respectfully disagrees with OIG's assessment and its conclusion that this one issue rendered the entire investigation unobjective. During the interview, the OPA investigator corrected CM#1's misunderstanding of the law and provided him an opportunity to clarify his account given that new information. Addressing anomalies in witness statements and providing opportunities for clarification is an important aspect of any interview. Investigators have an obligation to probe further than simply recording witness statements. OPA recognizes that its investigator's approach was somewhat inartful and his questions could have been better phrased. However, the investigator's clarifying questions occurred near the end of the interview—after CM#1 had already provided a full account. OPA respectfully disagrees with OIG's opinion that the investigator's line of questioning impacted the objectivity of the entire investigation.

Summary of the Investigation:

OPA investigated this incident by reviewing the OPA complaint, computer-aided dispatch call report, traffic assignment plan, field traffic control instructions, Google map, and interview statements from CM#1 and NE#1.

On July 24, 2025, the Complainant, an SPD sergeant, submitted an OPA complaint via Blue Team on CM#1's behalf. CM#1 reported the following account to the Complainant. CM#1 said he tried crossing a street near the upper Lumen garage when NE#1 instructed him not to cross. CM#1 said he entered the street despite NE#1's instruction. CM#1 said NE#1 shouted at him to vacate the street and pushed him and another person without causing injuries. CM#1 said he requested NE#1's badge number, but NE#1 refused to provide it and threatened him with arrest.

According to the traffic assignment plan and field traffic control instructions, NE#1 was assigned to conduct traffic control at the upper Lumen garage. The following Google Image shows an entry and exit point at the upper Lumen garage beside South Royal Brougham Way.



The upper Lumen garage is on the north side of South Royal Brougham Way. A stairway and elevator are on the south side of this street.

South Royal Brougham Way is a two-way street, with a single lane running eastbound (toward the camera in the Google Image) and another single lane running westbound (away from the camera in the Google Image). There are no traffic control devices or crosswalks connecting the upper Lumen garage to the south sidewalk of this street. During post-game traffic control, the entrance to the upper Lumen garage is converted to an exit, while the westbound lane of South Royal Brougham Way is converted to an additional eastbound lane. Consequently, both lanes of vehicles proceed eastbound from the upper Lumen garage.

On August 12, 2025, OPA interviewed CM#1. CM#1 said he left a Mariner's game and walked around Lumen Field due to a pedestrian area being closed. CM#1 said he reached the upper Lumen garage and saw NE#1 wearing a green highlighted vest directing traffic out of the garage. CM#1 said he was unaware that NE#1 was a police officer, especially since NE#1 did not identify himself as one. CM#1 described the green vest as having a faded and dirty police logo that was barely visible and obscured NE#1's uniform. CM#1 said he and another person tried crossing the street, prompting NE#1 to shout at them to get back. CM#1 said he approached NE#1 and told him that he had a service animal and was merely trying to cross the street. CM#1 clarified to OPA that the service animal, which was in training to alert to low blood sugar, was with his wife at the time. CM#1 alleged that NE#1 dismissed this by commenting, "I don't care. Get the fuck back." CM#1 alleged that NE#1 then pushed him and the other person's face. CM#1 said he requested NE#1's badge number after realizing that NE#1 was a police officer, as indicated by NE#1's radio and service weapon. CM#1 alleged that NE#1 requested his identification in response and threatened him with arrest. CM#1 said he refused to provide identification, believing he had not committed any crime. CM#1 said he continued requesting NE#1's badge number, while NE#1 continued instructing him to get back. CM#1 said he then disengaged from NE#1 and walked away.

On November 19, 2025, OPA interviewed NE#1. NE#1 said he wore the uniform he was wearing during his OPA interview. OPA photographed NE#1's uniform, as shown:



OPA obscured NE#1's nametag.

NE#1 said he wore his uniform shirt with patches, motor boots, and breeches, along with a traffic vest. NE#1 said he had a whistle and a traffic wand. NE#1 said pedestrians were permitted to walk on the south sidewalk but prohibited from entering South Royal Brougham Way. However, NE#1 said pedestrians, especially some who were intoxicated, have attempted to cross the street from the south sidewalk, prompting him to instruct them to use the stairs. NE#1 said he blew his whistle at pedestrians entering the street and instructed them to vacate it. NE#1 said he provides directions to pedestrians when feasible.

NE#1 claimed that he was unable to recall anyone attempting to cross the street on the incident date. NE#1 denied telling anyone to "get the fuck back," insisting that he had never used such language or swore. NE#1 admitted to occasionally using force to remove pedestrians from the street, especially when they were unresponsive to his whistle. NE#1 said force was necessary to prevent vehicles from hitting them. NE#1 claimed that he was unable to recall anyone requesting his badge number on the incident date. NE#1 maintained that he always provides his name and badge number when requested. NE#1 also noted that his information was on his traffic vest.

Analysis and Conclusions:

Named Employee #1 – Allegation #1

9.020 – Uniforms, 9.020-POL-5. All Outward Facing Uniform Items Include Proper Identifying Markings (Effective December 1, 2022)

CM#1 alleged that NE#1 was unrecognizable as a police officer due to an outdated and faded SPD label on NE#1's vest.

All outward facing uniform items must include proper identifying markings. SPD Policy 9.020-POL-5 (effective December 1, 2022). Any shirt or jacket worn as the outermost layer of the sworn employee's uniform must contain a cloth nametag on the right-side chest of the uniform item. *Id.* Badges must be worn as described in the Uniform Reference Catalog. *Id.* A department-issued metal badge must be worn on the left breast of the uniform shirt in the standard manufactured location. 2025 Uniform Reference Catalog.

A preponderance of the evidence showed that NE#1 wore an SPD uniform compliant with policy. NE#1 presented to OPA the uniform he wore on the incident date. This uniform displayed proper identifying markings, including a nametag on the right side of NE#1's chest, a metal badge on the left-side of NE#1's chest, and SPD patches on NE#1's shoulders. CM#1 claimed that NE#1 was unrecognizable as a police officer due to a green vest that he wore over his uniform. NE#1 stated he would have been wearing a traffic vest over his uniform. NE#1 described this vest as also bearing his name and badge number on it. OPA finds it unlikely that a traffic vest would have so obstructed the identifying markings, equipment, and occupational dress of a police officer that NE#1 would not have been readily identifiable as a police officer. By his own account, CM#1 was able to observe other identifying features, like NE#1's radio and service weapon, that indicated NE#1's status as a police officer. Moreover, the fact that NE#1 was conducting traffic control near two stadiums—an activity frequently performed by SPD officers—further reinforced NE#1's status as a police officer.

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

Recommended Finding: **Not Sustained – Unfounded**

Named Employee #1 – Allegation #2

5.001 – Standards and Duties, 5.001-POL-10. Employees Will Strive to be Professional

CM#1 alleged that NE#1 was unprofessional by refusing to answer questions and shouting at him to vacate the street using swear words.

SPD employees must “strive to be professional.” SPD Policy 5.001-POL-10. Further, “employees may not engage in behavior that undermines public trust in the Department, the officer, or other officers,” whether on or off duty. *Id.* Employees will avoid unnecessary escalation of events, even if those events do not end in reportable uses of force. *Id.* Employees representing the Department or identifying themselves as police officers or Department employees will not use profanity directed as an insult or any derogatory, contemptuous, or disrespectful language at anyone. *Id.*

The overall evidence as to what specifically occurred between CM#1 and NE#1 remains inconclusive. CM#1 alleged unprofessional conduct, whereas NE#1 denied such conduct. There was no body-worn video capturing their interaction, nor did any independent witness provide a separate account to OPA. Even if OPA were to accept CM#1's account as true, OPA would not

consider NE#1's conduct as so unprofessional as to constitute serious misconduct under these circumstances. CM#1 admittedly attempted to cross a street where crossing was prohibited, given the absence of a crosswalk and traffic control devices. Furthermore, NE#1 (who, according to CM#1, was wearing a green traffic vest) explicitly instructed CM#1 not to cross the street. Under these circumstances, it was not unreasonable for NE#1 to disregard CM#1's questions to focus on traffic control or shout at CM#1 to stop him from attempting to cross the street—actions which more likely than not violated Seattle Municipal Code (SMC) 11.59.010 ("No person shall wilfully fail or refuse to comply with any lawful order of any peace officer, duly authorized flagger, or firefighter, who is at the time discharging the duty of regulating and directing traffic or pedestrians"). Similarly, the evidence is insufficient to prove or disprove whether NE#1 told CM#1 to "get the fuck back," even if this were true, OPA would not consider this serious misconduct, given CM#1's disobedience and the risk he posed to himself due to traffic. NE#1's purported use of profanity would not be interpreted as an insult directed at CM#1 but as an unprofessional emphasis on a valid order. See SPD Policy 5.002-POL-5(c) ("minor rudeness" and "profanity not directed as an insult" are minor misconduct).

Regarding CM#1's allegation of being pushed by NE#1, OPA would find that purported use of force objectively reasonable, necessary, and proportional. If it had occurred, the force would ultimately be nonreportable, *de minimis*, and—more likely than not—intended to accomplish NE#1's lawful purpose of preventing CM#1 from unlawfully crossing the street.²

Ultimately, OPA cannot determine the precise factual nature of this interaction and recommends that this allegation be Not Sustained – Inconclusive.

Recommended Finding: **Not Sustained – Inconclusive**

Named Employee #1 – Allegation #3

5.001 – Standards and Duties, 5.001-POL-7. Employees Engaged in Department-Related Activities Identify Themselves When Requested

CM#1 alleged that NE#1 refused to provide a badge number when asked.

Employees engaged in department-related activities must identify themselves if requested. SPD Policy 5.001-POL-7. Employees must provide their name and department serial number verbally or in writing, if requested. *Id.* Employees may use a department-issued business card containing their name and serial number to satisfy the request for information. *Id.* Employees must show their department identification card and badge when specifically requested to do so. *Id.*

The overall evidence remains inconclusive. CM#1 alleged that NE#1 refused to provide a badge number, whereas NE#1 claimed that he was unable to recall anyone requesting his badge number on the incident date. Moreover, NE#1 maintained that he always provides his name and badge number when requested. Due to the absence of evidence corroborating either account, OPA finds this allegation inconclusive.

Accordingly, OPA recommends that this allegation be Not Sustained – Inconclusive.

Recommended Finding: **Not Sustained – Inconclusive**

Named Employee #1 – Allegation #4

5.001 – Standards and Duties, 5.001-POL-14. Retaliation is Prohibited

CM#1 alleged that NE#1 shoved him and threatened to arrest him after his request for a badge number.

SPD employees are prohibited from retaliating. SPD Policy 5.001-POL-14. SPD employees are specifically prohibited from retaliating against a person who engages in activities, including but not limited to opposing any practice reasonably believed to be unlawful or in violation of SPD policy, or who otherwise engages in lawful behavior. *Id.* Retaliatory acts are defined broadly under SPD policy and include discouragement, intimidation, coercion, or adverse action against any person. *Id.*

There was insufficient evidence to conclude whether NE#1 shoved or threatened to arrest CM#1 in retaliation for CM#1's request for a badge number. Whether NE#1 shoved or threatened to arrest CM#1 at all is in dispute. OPA notes that, even if these things had occurred, they would arguably have been lawful and proper based on CM#1 illegally crossing a street against police orders and—according to CM#1—grabbing NE#1's hand and spinning NE#1's hand around.

Ultimately, OPA cannot determine the precise factual nature of this interaction and recommends that this allegation be Not Sustained – Inconclusive.

Recommended Finding: **Not Sustained – Inconclusive**

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. *De minimis* force is an action meant to separate, guide, and/or control without using control techniques that are intended to, or are reasonably likely to, cause pain or injury. SPD Policy 8.050 (effective September 1, 2024). Examples include, but are not limited to, using hands or equipment to stop, push back, separate, or escort, and using compliance holds without using sufficient force to cause pain. *Id.*