


Issued Date: January 13, 2026

From: Deputy Director Nelson R. Leese (on behalf of Director Bonnie J. Glenn) ¹
Office of Police Accountability 

Case Number: 2025OPA-0314

Allegations of Misconduct & Director's Findings

Named Employee #1

- 1. Allegation #1:** 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)
 - 2. Allegation #2:** 6.010 – Arrests, 6.010-POL-1. Sworn Employees Must Have Probable Cause
That a Subject has Committed a Crime in Order to Effect an Arrest
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 #1 (NE#1) arrested the Complainant for driving under the influence (DUI). The Complainant alleged that NE#1 unlawfully conducted a traffic stop and arrested him.

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 September 12, 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 report, and interview statements from the Complainant. Based on these records, a preponderance of the evidence showed the following:

On February 20, 2025, NE#1 was on patrol when a community member reported to him that the Complainant had driven away in a vehicle while intoxicated. NE#1 located the vehicle and followed it. When the vehicle failed to fully stop at a red light, NE#1 initiated a traffic stop. NE#1 observed beer bottles inside the vehicle, along with the Complainant slurring his speech and a noticeable odor of intoxicants. Consequently, NE#1 arrested the Complainant for DUI and transported him to the East Precinct, where the Complainant provided a breath sample indicating impairment. Moreover, a judge approved NE#1's warrant application for a blood draw.

Analysis and Conclusions:

Named Employee #1 – Allegation #1

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#1 unlawfully conducted a traffic stop on him.

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.*

When a community member reported to NE#1 that the Complainant was intoxicated, NE#1 followed the Complainant. While operating a vehicle, the Complainant failed to fully stop at a red light, giving NE#1 reasonable suspicion to detain the Complainant for a traffic violation. Thus, NE#1 lawfully conducted a traffic stop on the Complainant.

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

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

Named Employee #1 – Allegation #2

6.010 – Arrests, 6.010-POL-1. Sworn Employees Must Have Probable Cause That a Subject has Committed a Crime in Order to Effect an Arrest

The Complainant alleged that NE#1 unlawfully arrested him.

Sworn employees must have probable cause that a subject committed a crime before executing an arrest. SPD Policy 6.010-POL-1. Stated differently, where an arrest is not supported by probable cause, it violates law and Department policy. Probable cause exists when the facts and circumstances within a sworn employee's knowledge sufficiently support a reasonable belief that an offense has been or is being committed. See *State v. Fricks*, 91 Wash.2d 391, 588 P.2d 1328 (1979); *State v. Gluck*, 83 Wash.2d 424, 426–27, 518 P.2d 703 (1974).

NE#1 had probable cause to arrest the Complainant for DUI. The facts supporting NE#1's probable cause determination included a community member reporting that the Complainant drove away while intoxicated, the Complainant's traffic violation, his slurred speech, alcohol containers in his vehicle, and the smell of intoxicants emanating from him. NE#1's probable cause was reinforced when the Complainant later provided a breath sample indicating impairment.

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).