


Issued Date: January 23, 2026

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

Case Number: 2025OPA-0322

Allegations of Misconduct & Director's Findings

Named Employee #1

- 1. Allegation #1:** 5.001 – Standards and Duties, 5.001-POL-11. Employees Will Be Truthful and Complete in All Communication
Finding: Not Sustained - Inconclusive (Expedited)
 - 2. Allegation #2:** 6.220 – Voluntary Contacts, Terry Stops, and Detentions, 6.220-POL-4 Documenting a Terry Stop, 1. Officers Will Document All Terry Stops
Finding: Allegation Removed
-

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 a traffic stop on the Complainant for driving while using a cellphone. The Complainant alleged that NE#1 was dishonest when citing him for cellphone use while driving.

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 16, 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 (BWV), infraction report, and interview statements from the Complainant. These records reflected the following:

On January 16, 2024, NE#1 conducted a traffic stop on the Complainant, although BWV was inconclusive on whether the Complainant was using his cellphone. NE#1 contacted the Complainant and explained that he was stopped for driving with a cellphone in his hand—a claim that the Complainant denied. NE#1 issued an infraction to the Complainant and reiterated seeing him holding a cellphone while driving. The Complainant declined that claim again.

The Complainant's infraction indicated that NE#1 observed the Complainant "holding a cellphone in his right hand" while his face was "pointed down towards his hand and the cellphone." The Complainant told OPA that his cellphone was neither in his hand nor against his ear. He said he might have been looking at the screen of his vehicle.

Analysis and Conclusions:

Named Employee #1 – Allegation #1

5.001 – Standards and Duties, 5.001-POL-11. Employees Will Be Truthful and Complete in All Communication

The Complainant alleged that NE#1 was dishonest when citing him for cellphone use while driving.

Department employees must be truthful and complete in all communications. SPD Policy 5.001-POL-11.

OPA conducted a full review of available evidence and found insufficient evidence to conclude NE#1 was dishonest. NE#1 claimed to have seen the Complainant holding a cellphone while driving, whereas the Complainant denied holding cellphone. Either explanation could be correct. It is also possible NE#1 believes he saw the Complainant holding a cellphone while driving but is simply mistaken, which would not constitute dishonesty. BWV did not fully corroborate or refute either account, nor did it record NE#1 exact angle of observation. The incident occurred over a year and a half prior to the date it was reported to OPA. OPA assessed that memories have likely faded and was unable to identify any further probative evidence on the issue. The Complainant was afforded the right to contest the infraction in court but said he chose to accept an amended citation for not wearing his seatbelt so as not to affect his insurance coverage.

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

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

Named Employee #1 – Allegation #2

6.220 – Voluntary Contacts, Terry Stops, and Detentions, 6.220-POL-4 Documenting a Terry Stop, 1. Officers Will Document All Terry Stops

The Complainant alleged that NE#1 was dishonest when citing him for cellphone use while driving.

Officers must document all *Terry* stops. SPD Policy 6.220-POL-4(1). Among other requirements, the documentation must include the original, objective facts justifying the reasonable suspicion for the stop or detention and the disposition of the stop or detention. *Id.*

The Complainant's infraction citation documented NE#1's stated reason for the stop. Specifically, NE#1 claimed to have observed the Complainant "holding a cellphone in his right hand" while his face was "pointed down towards his hand and the cellphone." The core of the Complainant's allegation was the NE#1 lied about his observations, which were addressed above at Allegation #1.

Accordingly, OPA recommends that this allegation be removed as duplicative.

Recommended Finding: **Allegation Removed**

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).