

Issued Date: February 9, 2026

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

Case Number: 2025OPA-0345

Allegations of Misconduct & Director's Findings

Named Employee #1

- 1. Allegation #1:** 8.300 – Use of Force Tools, 8.300-POL-3 Taser 10, 6. Tasers Should Not Be Used on A Person Who Is Fleeing the Scene, Absent Other Factors (Effective September 1, 2024)

Finding: Not Sustained - Lawful and Proper

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) spotted Community Member #1 (CM#1), who had multiple outstanding warrants. NE#1 deployed his Taser when CM#1 fled on foot, causing CM#1 to fall. OPA investigated whether NE#1 deployed his Taser under unauthorized circumstances.

Administrative Note:

On January 26, 2026, the Office of Inspector General certified OPA's investigation as thorough, timely, and objective.

Summary of the Investigation:

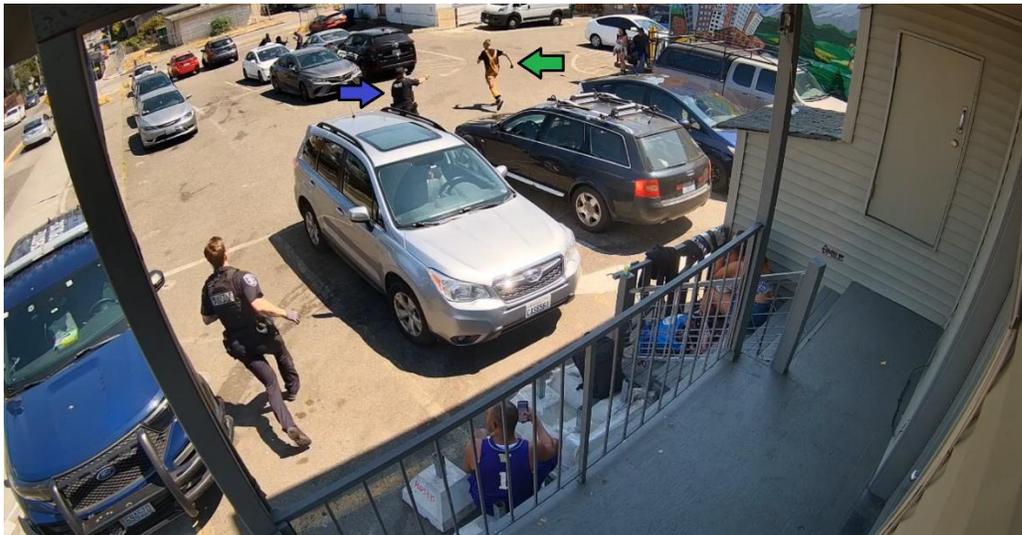
On September 3, 2025, an SPD lieutenant submitted an unsubstantiated misconduct screening (UMS) form describing an incident during which NE#1 deployed his Taser at CM#1 while CM#1 fled, causing him to fall and strike his head against the ground. The lieutenant noted that the Taser

deployment was not captured on body-worn video because NE#1 activated it late due to CM#1's sudden appearance.

OPA investigated the UMS by reviewing the incident report, use-of-force report, security camera footage, and interview statements from NE#1.

NE#1 documented the following details in his use-of-force report. On July 23, 2025, NE#1 and Witness Officer #1 (WO#1), NE#1's backing officer, were conducting proactive patrol when NE#1 spotted CM#1 behind a building. NE#1 recognized CM#1 from arresting him in 2024, which involved type II force. WO#1 ran CM#1's information and learned that he had multiple felony and misdemeanor warrants. NE#1 and WO#1 lost sight of CM#1 when he entered a building, but they intended to arrest him as soon as they reacquired him. They knew that CM#1 would likely flee during their arrest attempt. Later, building staff flagged down NE#1 and WO#1 and reported that CM#1 had just stolen brown overalls and was wearing them. NE#1 then spotted CM#1 in a parking lot behind a building, where several people were also present.

A security camera captured NE#1 pulling into the parking lot and exiting his patrol vehicle. NE#1 pointed at CM#1 and commanded, "Don't move. Don't move." CM#1 promptly fled from NE#1, who immediately followed. NE#1 drew his Taser, which emitted a charging sound, and aimed it at CM#1.

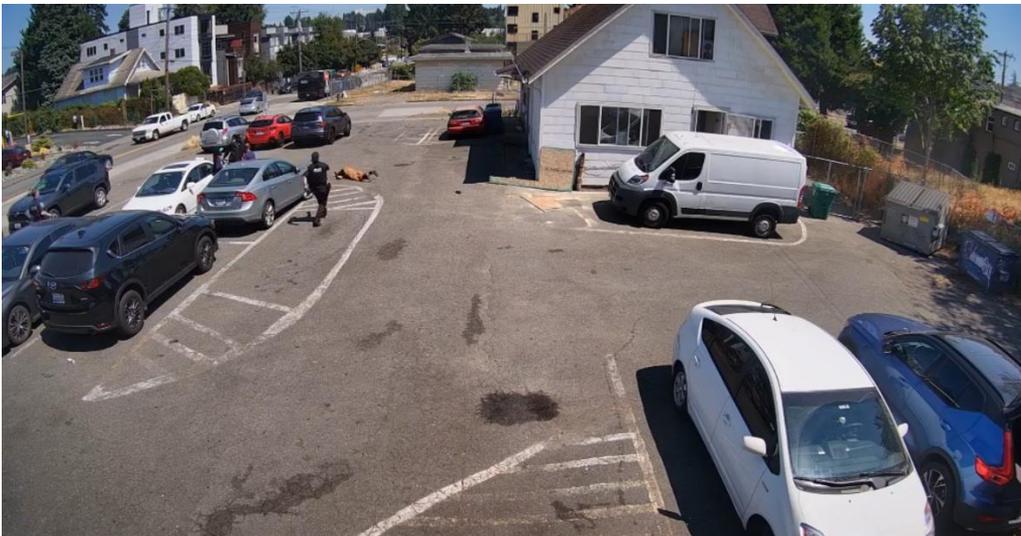


A security camera captured NE#1 (indicated by the blue arrow) aiming his Taser at CM#1 (indicated by the green arrow) while CM#1 was fleeing. WO#1 was near the patrol vehicle.

NE#1 shouted, "You're gonna get Tased" and promptly deployed his Taser at CM#1. Following a beeping sound from the Taser, CM#1 groaned, brushed against a silver vehicle to his left, fell onto his back, and rolled onto his stomach. NE#1 and WO#1 then handcuffed CM#1.



Another security camera captured CM#1 falling onto his back.



This security camera captured CM#1 rolling onto his stomach.

NE#1 documented his decision-making process in his use-of-force report. NE#1 explained that he had probable cause to arrest CM#1 due to multiple warrants for eluding, unlawfully possessing a firearm, narcotics offenses, and domestic violence. NE#1 developed additional probable cause for theft and obstruction during this incident. According to NE#1, CM#1 fled toward a specific street notorious for open narcotics use, shootings, and serious assaults. NE#1 knew that many people were situated in tents or obstructing the sidewalk, so he believed a foot chase on this street was dangerous. NE#1 noted that CM#1 already had a head start and could evade the police by turning the corner. NE#1 expressed concern about CM#1 producing a weapon, given his warrant for unlawfully possessing a firearm.

NE#1 offered the following reasons for Tasing CM#1:

I knew from our previous contact with [CM#1] that we had to perform a take down and struggled to take him into custody. This resulted in injuries to [CM#1], [WO#1], and me. I most certainly did not want to have to perform a take down running at full speed on [this street] as the sidewalk and curtilage is littered with used narcotics paraphernalia and other discarded materials. I was also concerned that if we were in a struggle with [CM#1] on [this street], he may have much support from the crowd that hangs around on that corner and other people could attempt to assist [CM#1] in evading capture or assault us as we attempted to arrest him.

I also recalled from my annual taser recertification training, that if the tasing is likely to reduce further use of force then it is an appropriate application. I believe that tasing [CM#1] was safer for him and officers than tackling him on the pavement and having to force him into handcuffs.

Since CM#1 fled toward an “incredibly dangerous part of the city and needed to be apprehended immediately,” NE#1 decided to deploy his Taser to subdue CM#1.

On November 18, 2025, OPA interviewed NE#1. His statements were consistent with his use-of-force report. He emphasized the importance of apprehending CM#1 in the parking lot, given the high-crime area and the potential risks of CM#1 turning the corner. NE#1 maintained that failing to immediately Tase CM#1 would result in a chase that would lead to injuries. Thus, NE#1 believed that Tasing CM#1 would minimize the risk of injuries.

Analysis and Conclusions:

Named Employee #1 – Allegation #1

8.300 – Use of Force Tools, 8.300-POL-3 Taser 10, 6. Tasers Should Not Be Used on A Person Who Is Fleeing the Scene, Absent Other Factors (Effective September 1, 2024)

NE#1 allegedly deployed his Taser under unauthorized circumstances.

Tasers should not be used on someone fleeing the scene, absent “other factors.” SPD Policy 8.300-POL-3(6) (effective September 1, 2024).

A preponderance of the evidence established sufficient factors supporting NE#1’s Taser deployment, even while CM#1 actively fled the scene.² CM#1 posed a danger to the officers and the public, given his propensity for criminal behavior and his fight or flight response to the police. CM#1 had multiple outstanding warrants for serious offenses—including unlawfully possessing a firearm, narcotics offenses, and domestic violence—and wore the very item he had just reportedly stolen. NE#1 considered his prior encounter with CM#1, which required the use of type II force to restrain CM#1 and ultimately resulted in injuries to NE#1, WO#1, and CM#1. NE#1 also had to

consider whether CM#1 was armed at the time since he had a warrant for unlawfully possessing a firearm. The totality of these facts indicated a dangerous person intent on evading capture.

Moreover, NE#1's discovery of CM#1 in a high-crime area warranted an immediate apprehension. OPA credits NE#1's assessment of the environment. Here, CM#1 fled toward a street that NE#1 described as notorious for open narcotics use, shootings, and serious assaults. NE#1 believed a foot chase on this street was dangerous due to the tents, discarded items, including narcotics paraphernalia, and the potential support that CM#1 could receive from individuals nearby. Security cameras captured multiple people present in the parking lot, validating NE#1's concern about potential interference. NE#1 characterized a takedown in this environment as dangerous, given these risk factors. NE#1 reasonably concluded that Tasing CM#1 before he could reach this street was safer than tackling him to the ground and using force to counter likely resistance. Overall, OPA finds that the totality of all these factors justified NE#1's Taser deployment on a fleeing subject.

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

Recommended Finding: **Not Sustained – Lawful and Proper**

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. OPA has previously sought to address the significant confusion caused by vague “other factors” language in SPD Policy 8.300-POL-3(6). OPA outlined its concerns in a recent Management Action Recommendation (MAR), 2025COMP-0009. SPD indicated they are developing new language to clarify that an officer who deploys a Taser on a fleeing subject must articulate why the deployment was objectively, reasonable, and necessary.