


**Issued Date:** March 3, 2026

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

**Case Number:** 2025OPA-0360

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**Allegations of Misconduct & Director's Findings**

**Named Employee #1**

- 1. Allegation #1:** 8.200 – Using Force, 8.200-POL-1. Using Force: When Authorized  
**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)
  - 3. Allegation #3:** 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)
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**Named Employee #2**

- 1. Allegation #1:** 8.200 – Using Force, 8.200-POL-1. Using Force: When Authorized  
**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)
  - 3. Allegation #3:** 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)
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**Named Employee #3**

- 1. Allegation #1:** 8.200 – Using Force, 8.200-POL-1. Using Force: When Authorized  
**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)

3. **Allegation #3:** 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)

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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:**

The named employees (NE#1, NE#2, and NE#3) detained and arrested the Complainant during a traffic stop. The Complainant alleged that the named employees unlawfully detained him, unlawfully arrested him, and used unauthorized force by slamming him against the hood of a patrol vehicle.

### **Administrative Note:**

During its intake investigation, OPA identified NE#2 expressing frustration and yelling at the Complainant following his arrest. OPA sent NE#2's potential violation of SPD Policy 5.001-POL-10 (Employees Will Strive to be Professional) to his chain of command for Supervisor Action.<sup>2</sup>

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

On January 9, 2026, 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, in-car video, incident report, and interview statements from the Complainant. Based on these records, a preponderance of the evidence showed the following:

On August 22, 2025, the Complainant was driving a vehicle when he was observed speeding and not fully stopping at a stop sign. The named employees initiated a traffic stop on the Complainant, who pulled over to the right side of a street. He exited his vehicle, prompting the officers to aim their firearms at him and order him to remain inside his vehicle. He was confrontational and refused to reenter his vehicle but continually reached into it through the open driver's side window. He told the officers he wanted to prevent his dog from jumping out of the window. After reaching into his vehicle

several times, the Complainant approached the officers, who arrested him. NE#3, a sergeant, screened the arrest. The Complainant was arrested for obstruction and cited for failing to stop at a marked stop sign intersection, blocking traffic in the roadway, and having an expired registration.

### **Analysis and Conclusions:**

The Complainant alleged that the named employees used unauthorized force by slamming him against the hood of a patrol vehicle.

Sworn employees will only use objectively reasonable, necessary, and proportional force to the threat or urgency of the situation to achieve a law enforcement objective while protecting the life and safety of all people. SPD Policy 8.200-POL-1. Reasonableness must consider that sworn employees are often forced to make split-second decisions about the amount of force necessary in a particular situation in tense, uncertain, dynamic, and rapidly evolving circumstances. *Id.* The question is whether the sworn employee's actions were objectively reasonable considering the facts and circumstances confronting them, without regard to their underlying intent or motivation. *Id.* Several factors should be weighed when evaluating reasonableness. *See id.* Force is necessary under the totality of the circumstances when there is no reasonably effective alternative to using physical or deadly force, and the type and amount of physical or deadly force used is a reasonable and proportional response to effect the legal purpose intended or to protect against the threat posed to the sworn employee or others. SPD Policy 8.050 (effective September 1, 2024). Proportional force must reflect the totality of circumstances of the situation, including the nature and immediacy of any threats posed to sworn employees and others. *Id.* Sworn employees must rely on training, experience, and their assessment of the situation to decide an appropriate level of force. *Id.*

The named employees did not slam the Complainant against the hood of a patrol vehicle as alleged. Rather, body-worn video showed the named employees aiming their firearms at the Complainant, handcuffing him, and transporting him to jail. To the extent that the named employees used type I force<sup>3</sup> by aiming their firearms at the Complainant, such force was objectively reasonable, necessary, and proportional under the circumstances. The Complainant was confrontational and repeatedly reached into his vehicle in defiance of multiple orders. This behavior raised the possibility that the Complainant could have produced a weapon to use against the named employees. The named employees then used *de minimis* force<sup>4</sup> when handcuffing the Complainant and transporting him to jail. The Complainant was never slammed against the hood of a patrol vehicle. Overall, the named employees used lawful and proper force during the Complainant's arrest.

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 the named employees 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).

The named employees had probable cause to arrest the Complainant for obstruction. See SMC 12A.16.010(3) (defining obstruction as, among other things, intentionally refusing to cease an activity or behavior that creates a risk of injury to any person when ordered to do so by a public officer). The Complainant repeatedly defied orders to refrain from reaching into his vehicle, even while being held at gunpoint. This behavior created a risk of injury to the officers and elevated the traffic stop to a lawful arrest.

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 #3**

### **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 the named employees unlawfully detained 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.*

The named employees had reasonable suspicion to detain the Complainant when he turned right at a stop sign without fully stopping. Other traffic violations included speeding, blocking traffic in the roadway, and having an expired registration.

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

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

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**Named Employee #2 – Allegation #1**

**8.200 – Using Force, 8.200-POL-1. Using Force: When Authorized**

For the reasons articulated in Named Employee #1 – Allegation #1, OPA recommends that this allegation be Not Sustained – Lawful and Proper (Expedited).

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

**Named Employee #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**

For the reasons articulated in Named Employee #1 – Allegation #2, OPA recommends that this allegation be Not Sustained – Lawful and Proper (Expedited).

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

**Named Employee #2 – Allegation #3**

**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**

For the reasons articulated in Named Employee #1 – Allegation #3, OPA recommends that this allegation be Not Sustained – Lawful and Proper (Expedited).

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

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**Named Employee #3 – Allegation #1**

**8.200 – Using Force, 8.200-POL-1. Using Force: When Authorized**

For the reasons articulated in Named Employee #1 – Allegation #1, OPA recommends that this allegation be Not Sustained – Lawful and Proper (Expedited).

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

**Named Employee #3 – 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**

For the reasons articulated in Named Employee #1 – Allegation #2, OPA recommends that this allegation be Not Sustained – Lawful and Proper (Expedited).

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

**Named Employee #3 – Allegation #3**

**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**

For the reasons articulated in Named Employee #1 – Allegation #3, OPA recommends that this allegation be Not Sustained – Lawful and Proper (Expedited).

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

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**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.** A Supervisor Action generally involves a minor policy violation or performance issue the employee’s supervisor addresses through training, communication, or coaching. See OPA Internal Operations and Training Manual section 5.4(B)(ii).

**Footnote 3.** Type I is force that causes pain or injury not requiring anything greater than basic first aid. SPD Policy 8.050 (effective September 1, 2024). Type I force includes, among other things, pointing a firearm at a subject. SPD Policy 8.400-POL-1.

**Footnote 4.** *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.*