



## King County

### Office of Law Enforcement Oversight

DATE: January 16, 2026

TO: Ian Huri, Chief of Support Services, King County Sheriff's Office (KCSO)

FR: Ryan McPhail, Investigations Monitor Office of Law Enforcement Oversight (OLEO)

RE: Recommended findings for IIU2025-206

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The Office of Law Enforcement Oversight (OLEO) certified the fact-finding portion of investigation number IIU2025-206 as thorough and objective on January 8, 2025. OLEO was notified that findings were completed. OLEO has independently reviewed the findings and makes the following findings recommendation pursuant to King County Code 2.75.040(C).

#### Allegation Against Subject

	<b>General Orders Manual (GOM) Allegation</b>	<b>Sheriff's Office Commander Findings</b>	<b>OLEO Recommended Finding</b>
Subject Employee 1	(1) 3.00.020(4): Otherwise Fails to Meet Standards Set Forth by Law, Policy, Procedure or Training.	Exonerated	Exonerated
Subject Employee 2	(1) 3.00.020(4): Otherwise Fails to Meet Standards Set Forth by Law, Policy, Procedure or Training.	Exonerated	Sustained
Subject Employee 2	(1) 3.00.015(2)(d): Excessive Use of Force	Exonerated	Sustained

#### Summary of the Incident

On August 7th, 2025 the complainant entered the King County Courthouse located at 516 3rd Ave, Seattle, WA. While going through the security check point at the courthouse entrance the complainant got into a disagreement with courthouse screeners regarding the process for

checking his pocketknife with the Marshals. Subject employee 2 intervened and assisted the complainant in checking his knife while the complainant was argumentative with him. The complainant alleges that subject employee 2 then grabbed his clothing and pushed him several times and that both subject employee 1 and 2 attempted to provoke him into escalating to the point that they could justify preventing him from going to court.

Witness 2 is the security screener who was working the x-ray machine when the complainant entered. He said that when he saw the complainant had a knife...

“I told him ‘Don't pull the bin.’ Because he's going to pull the bin. He proceeded to tell me that he knows the procedure and told me to shut up. At that time already, the marshal made his way to the x-ray machine. From there on, the two were having a discussion and I just proceeded back to my chair, I guess, if you will, the x-ray. And I know that there was some discussion or loud discussion between the two, but from where I'm seated, it's very difficult to see if there's any or what was happening. I did kind of peek out occasionally to see, because at that time it was very busy. So we had to stop operation while this situation is being addressed.”

Security footage from the courthouse does not have audio. One angle showed the complainant walking through security. He is stopped from grabbing his tray and there seems to be a disagreement between him and witnesses 2 and 6. Subject employee 2 approached as the complainant collected some belongings from the tray, handed his pocket knife to subject employee 2 in exchange for a ticket and took the tray towards the hallway while subject employee 2 followed as the two walked off-screen. After another minute or so witness 6 stopped the line of people coming through the screening area while looking towards the hallway. After a few minutes witness 6 allowed the line to resume. The other angle shows the hallway where subject employee 2 followed the complainant, who seemed to be upset, to where witness 1 was waiting with a metal-detecting wand. The complainant allowed himself to be hand-wanded while subject employee 2 watched. Subject employee 1 came by to collect security belongings-trays and walked away towards the entrance while the complainant walked down the hallway towards the elevators. The complainant then abruptly turned around and both he and subject employee 2 walked towards each other. The complainant stopped approximately two feet away while subject employee 2 advanced another 2-3 steps. They seemed to engage in a heated conversation at a distance of only a few inches and subject employee 2 placed his hands on the complainant's chest and pushed back the complainant, who immediately stepped back towards subject employee 2. They engaged in further heated conversation while subject employee 2 advanced on the complainant and placed his hands on him angling him towards the entrance indicating that he was telling the complainant to leave. Subject employee 1 walked towards them and interjected to speak with the complainant. Subject employee 2 advanced on the complainant several more times during this interaction. Several other marshals arrived and observed the interaction until the complainant was allowed to go to court. Witness 4's body-worn camera has a more detailed video of this portion of the interaction, which is described below.

Witness 1 is the screener who saw the push and the events leading up to it. She said...

“[the complainant] did get a little upset because he didn't like the way he was being

treated. And so he did start getting a little rowdy. And then I remember he was walking away, but he was still saying stuff. He was still saying stuff. So then in turns, the Marshal didn't like what he was saying, pretty much. And I can't remember what he was exactly saying. I know the Marshal was like, 'Oh, say it to my face, say it to my face.' I do remember him saying that. And as the dude was walking away, the marshal kind of goes ahead and follows and walks to him. And then the dude, they're face to face. I wish my camera's on because they're really close. And they're going back and forth, and then the marshal does proceed to push him."

When asked if she felt subject employee 2's push was reasonable or necessary she said that it was not. When asked if subject employee 2 did anything to de-escalate the situation she said he did not. And when asked if subject employee 2 escalated the situation she said "Yes. I feel like maybe if he just would've let it go, it wouldn't have hit the fan like that." She did not remember subject employee 1 being present during the interaction.

Body-Worn Camera (BWC) video recorded by witness 4 begins shortly after the push occurred. It shows the complainant having a heated argument with the two subject employees while witness 1 stood nearby. During this argument the complainant asserted that subject employee 2 got in his face and pushed him. The two subject employees questioned the complainant about what business he had in the courthouse and when he said he had court they asked him where his court was. He initially refused to answer, though he eventually did tell them it was on the 12th floor. During this time subject employee 1 seemed to be trying to de-escalate the situation while subject employee 2 was trying to direct the complainant towards the exit. When the complainant was nearly de-escalated subject employee 2 again advanced on him, again escalating the situation. At this point subject employee 1 stopped subject employee 2 from advancing further and instructed the complainant to go to court. The complainant left towards the elevators, yelling back that he would be coming back to get subject employee 2 in trouble and not to ever assault him in the court system.

Subject employee 2 said in his statement that he observed the complainant having a tense interaction with the security screeners...

"I asked him, 'What's going on?' He told me it was like none of my business or something to that effect and raising his voice even more [...] I told him if he didn't change his behavior, he's going to have to leave. And he got upset by that. And he came towards me. We backed up, we turned around, we started heading. I got his knife away from him. We started heading towards the cafe area and I was behind him. Suddenly he snapped around and came at me really quickly. He literally put his face within two inches of my face, which is entirely too close. And so to create some distance, I pushed him away from me. He started to yell, 'That's it. He pushed me, he pushed me,' to all the people around. 'Did you see him? He pushed me.' By that time, marshal Clark had come around. He'd heard the disturbance also and came around because he had just relieved me, but we were both still on post. And we got into an altercation with this individual even further where he kind of danced around and danced around. We told him he had to leave. After that, I can't really remember what happened, but I know he left."

When asked why he did not take a step back if he was concerned about the distance between himself and the complainant, he said that the courthouse is usually busy at that time he worried he might bump into someone. Subject employee 2 denied saying “say it to my face”. He also said that he did not attempt to de-escalate the complainant because there was not enough time as the interaction only lasted 5-8 minutes. But he did say that subject employee 1 got between the two of them and de-escalated the situation. Subject employee 2 said that marshals can ask individuals to leave if they cause a disturbance, but that it is case-by-case. In this case he felt the complainant should be asked to leave because he was disruptive and did not calm down when he was told he would need to leave if he did not.

In subject employee 1’s interview he said he noticed the interaction between the complainant and subject employee 2 and remained aware of it but did not observe anything that made him feel as though he needed to intervene. He said...

“At this point, one of the screeners let me know [the complainant] hadn't been hand wanded. So now I am more at alert. I'm walking around the post because he can't just walk through the screening because he could have any number of weapons on him. He does approach another screener, so I just stand by and make sure he complies with the process. As long as they're complying with the process, that's great. They can have a bad attitude. That's fine. As long as they're being calm, they're not disrupting things. He complies with the process. He gets hand-wanded. He continues on his way.”

So subject employee 1 continued with his work. He said he heard more yelling and noticed that the complainant and subject employee were very close to each other, so he approached to attempt to de-escalate the situation. He said he did not see a push at the time, but later saw it on the security footage. He said that he tried to determine what was going on and during this time the complainant was yelling that subject employee 2 had pushed him and subject employee 2 seemed to be trying to “corral” the complainant. He said...

“My intent was just to calm things down, so trying to ask what's going on, and that's when [the complainant] said that he was assaulted, and [subject employee 2] threatened to place [the complainant] in handcuffs. Okay, so yeah, so I do remember [subject employee 2] saying he's going to have to place him in handcuffs. Let's see. In an attempt to deescalate the situation, I asked [the complainant] what his business was in the building, and he had said he had court and he wasn't very forthcoming initially. Through conversation, I think he mentioned something about 1201 or first appearance or something like that. So generally that's on the 12th floor, 1201. So I was just encouraging him, ‘Hey, if you calm down, you can go about your business. It'd probably be best if you just left and went about your business.’ I told him where the elevators were [...] And then at this point, I did give him my business card because he said he wanted to make a complaint. He wanted to complain, so I gave him my business card so he could follow up with me, and then he left.”

Subject employee 1 also discussed criteria for asking patrons to leave, saying...

“Our duties are to maintain the security and the flow of patrons into the building. So

yes, if he continued and would not deescalate, and we really bend over backwards to get people to deescalate and calm down, but at a certain point, it could rise to the level of him being detained and arrested because he's preventing the flow of traffic into the building.”

Other witness statements discuss the complainant’s later attempts to report the incident, stating that the complainant continued to be loud and disruptive, used profanity and that several of them got the impression that the complainant was attempting to elicit a response from them, noting that the complainant made statements such as “This is what I do” in reference to making complaints about officers. The complainant eventually made a criminal complaint to witness 3, who also did a commendable job of utilizing successful de-escalation tactics. The case file also includes the mark43 report, CAD and Court Protection Unit SOP’s with section 10(h) covering Trespass Notice/Warning for disruptive individuals.

### Analysis

#### **Allegation against subject employee 1:**

*1) Otherwise Fails to Meet Standards Set Forth by Law, Policy, Procedure or Training - Exonerated*

The complainant in this matter is known to KCSO and OLEO as an individual that can be extremely challenging for law enforcement to interact with, is seemingly familiar with policy and frequently makes complaints about his interactions with officers. The complainant alleges subject employee 1 attempted to prevent him from going to court. However, the evidence shows that the subject employee merely stopped the complainant long enough to intervene in the conflict, ascertain what was happening and de-escalate the situation to the point that the complainant could remain in the courthouse without causing further disruption. Despite this undoubtedly difficult situation, subject employee 1 maintained his composure, effectively intervened to assist subject employee 2 and deescalated the situation impressively. OLEO commends his handling of this incident.

Based on the above analysis, OLEO recommends that **the allegation of otherwise fails to meet standards set forth by law, policy, procedure or training be exonerated.**

#### **Allegation against subject employee 2:**

*1) Otherwise Fails to Meet Standards Set Forth by Law, Policy, Procedure or Training – Sustained*

The initial findings recommendation suggest that the complainant’s allegation is, in-part, that the subject employees were disrespectful. However, when asked in his interview if he was alleging discourtesy, he responded...

“Not even discourtesy. It was more of a prevent. They were trying to prevent me. They knew I had court. I told 'em I had court. Obviously it's superior court. If they don't let me to go to court, then I'm going to have a warrant. I feel like they are trying to stop me or cause some type of harm to me through the legal procedure. You understand what I'm saying? Yeah. They're trying to make me react in some

type of way. What if I just beat 'em up? You know what I'm saying? Then I would be arrested and have to go through the whole thing. And it is just, that's what they're trying to do. They're trying to intimidate. They're trying to cause problems. Instead of diffusing a situation, they're encouraging problems.”

General Orders Manual (GOM) 6.00.015 states “[Deputies] shall act with reasonable care when carrying out their duties, including using de-escalation tactics and alternatives to force.” Subject employee 1, the lead marshal, also made clear in his statements that the marshals frequently interact with disruptive individuals and that they put an emphasis on de-escalation in order to maintain order and ensure that individuals can remain in the courthouse to conduct their business. As such, de-escalation is a tactic required both by policy and a standard tactic utilized by the marshals.

In this instance subject employee 2 made no attempt at de-escalation, according to his own statement. For some reason believing that 5-8 minutes was not enough time to do so. This is further evidenced by witness 1’s statement that “I feel like maybe if [subject employee 2] just would've let it go, it wouldn't have hit the fan like that.” It is noteworthy that subject employee 1 was in the immediate vicinity of the interaction prior to subject employee 2 pushing the complainant and not only did not register the complainant’s behavior as disruptive enough to require ejection from the courthouse but did not even find the situation concerning enough to require his assistance. While Marshals certainly may remove individuals who are disruptive to the courthouse environment, there is no indication that the complainant’s behavior prior to the push was disruptive, as individuals can be seen in the courthouse security footage going about their business and paying little attention to the interaction.

Subject employee 2 continued to escalate the situation by saying “say it to my face”, according to witness 1, as the complainant walked away from the situation. This appears to have prompted the complainant to turn around and oblige. It was after subject employee 2 then pushed the complainant that other Marshals responded and the entrance line to the courthouse was stopped, functionally disrupting courthouse function. After pushing the complainant and being assisted by subject employee 1, subject employee 2 directed the complainant to leave, threatened to handcuff him and attempted to “corral” him, sometimes interrupting subject employee 1’s otherwise successful attempts to de-escalate the complainant.

De-escalation is a tactic that requires participation from both parties in order to be successful and it’s certainly possible that de-escalation may not have been effective had subject employee 2 attempted to utilize it. As said above, the complainant is known for being disrespectful and challenging in his interactions with law enforcement. However, the evidence shows that subject employee 1 actively escalated the situation and used that escalation as justification for attempting to force the complainant to leave the courthouse. This is contrasted with de-escalation being used successfully by subject employee 2 and witness 3 in this same incident.

Based on the above analysis, OLEO recommends that **the allegation of otherwise fails to meet standards set forth by law, policy, procedure or training be sustained.**

#### **Allegation against subject employee 2:**

##### *2) Excessive Use of Force – Sustained*

The initial KCSO findings memorandum analysis says “[subject employee 2’s] push of [the complainant’s] shoulders was slight and would not cause pain, injury or be a reportable use of force.” It further says in the summary that “[subject employee 2’s] 'push' of [the complainant’s] shoulders was neither a reportable nor excessive use of force.” However, whether or not it was “reportable”, or a level II and level III use of force according to GOM 6.00.040, has no bearing on this allegation or the facts of this case. A push is a level I use of force according to GOM 6.00.040(1)(a) and certainly may be considered excessive if found to be unreasonable or unnecessary. The use of quotations around the word “push” in the finding memorandum is confusing because, based on the video of the incident, it seems difficult to define this use of force as anything but a push.

The GOM, in Chapter 6 on Use of Force, says “Determining whether physical force is reasonable includes assessing whether the officer made tactical decisions to minimize unnecessary risk to themselves or others.” And that for force to be necessary “Under the totality of the circumstances, a reasonably effective alternative to the use of force or deadly force does not exist.”

Subject employee 2’s mark43 report and administrative interview describe his decision to push the complainant as being made after the complainant approached him to a distance of a few inches. However, the evidence indicates that the complainant was walking away while subject employee 2 followed, saying “say it to my face”, prompting the complainant to turn around and approach him. Subject employee 2 even continued to close the distance 2-3 steps further after the complainant had stopped and used his discomfort with this distance as justification for pushing the complainant. So, subject employee not only failed to make tactical decisions to minimize the risk of conflict, but his decision to close the distance with the complainant in fact created an unnecessary risk to himself. Further, if subject employee 2 felt the close distance to the complainant was a risk, even one he created himself, there was a reasonable alternative to the push: he could have simply stepped back.

For subject employee 2 to tell the complainant, who was walking away, to “say it to my face,” close the distance to within inches, and then push the complainant was not reasonable or necessary and was therefore excessive.

Based on the above analysis, OLEO recommends that **the allegation of excessive use of force be Sustained.**<sup>1</sup>

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<sup>1</sup> In accordance with KCSO policy, OLEO analyzed this case according to the clear-and-convincing standard. OLEO must again note that KCSO’s use of this standard for administrative proceedings is wholly inappropriate. Administrative investigations should be subject to a preponderance-of-the-evidence standard, just like the vast majority of civil cases tried before courts.