



Office of Police Ombudsman Commission

Agenda
January 19, 2021
5:30PM – 7:00PM
WebEx Meeting

TIMES GIVEN ARE AN ESTIMATE AND ARE SUBJECT TO CHANGE

Commission Briefing Session:

5:30 – 5:35pm	1) Welcome to public	Commissioner Smith
	2) Agenda approval	Commissioner Smith
	3) Approval November 18 th and December 1 st Minutes	Commissioner Smith

Items:

5:36 – 6:10pm	1) Public Forum	Citizens Signed up to Speak
	2) Monthly Report	Bart Logue
	- Critical Incident – 1/5 at Ash and Queen	

Commission Business:

6:11 – 7:00pm	1) Deputy Police Ombudsman	Commissioner Smith
	2) OPO/OPOC Annual Report	Commissioner Smith
	3) Commissioner Vacancy	Commissioner Smith
	4) Commissioner Speak Out	Commissioners
	5) Executive Session for Employee	Commissioners

D A P

Adjournment:

Next Ombudsman Commission meeting will be held February 16, 2021

Join by WebEx

<https://spokanecity.webex.com/spokanecity/j.php?MTID=m588d6e40f9555975312a8a25b2229950>

Meeting number: 146 346 6204

Password: mvXm4hTiv23

Join by phone

+1-408-418-9388 United States Toll

Access code: 146 346 6204

AMERICANS WITH DISABILITIES ACT (ADA) INFORMATION: The City of Spokane is committed to providing equal access to its facilities, programs, and services for persons with disabilities. The Council Chambers and the Council Briefing Center in the lower level of Spokane City Hall, 808 W. Spokane Falls Blvd., are both wheelchair accessible. The Council Briefing Center is equipped with an audio loop system for persons with hearing loss. The Council Chambers currently has an infrared system and headsets may be checked out by contacting the meeting organizer. Individuals requesting reasonable accommodations or further information may call, write, or email Human Resources at (509) 625-6363, 808 W. Spokane Falls Blvd, Spokane, WA, 99201; or msteinolfs@spokanecity.org. Persons who are deaf or hard of hearing may contact Human Resources through the Washington Relay Service at 7-1-1. Please contact us forty-eight (48) hours before the meeting date.



Office of Police Ombudsman Commission Minutes

November 18, 2020

Meeting Minutes: 1:24

Meeting called to order at 5:32pm

Attendance

- OPOC Commissioners present: Ladd Smith, Jenny Rose, James Wilburn, Luc Jasmin
- Legal Counsel: David Bingaman
- OPO staff members present: Bart Logue, Luvimae Omana and Christina Coty

Items Session

- Introduction of Commissioner Jasmin
- Agenda approved
- October 20th minutes approved – Commissioner Jasmin - abstained

Public Forum

- None

OPO Report

- October Report
 - 85 contacts, 14 interviews, 3 complaints and 5 referrals
 - 14 cases certified, 2 returned for further investigation, 9 UOF, 2 K9, 3 Collisions and 2 Pursuits
 - New IA LT. Matt Cowles
- Training – Fall in Service was attended (in Person)
- Chief Meidl inquired about what step the grievance was at. Grievance pertained to OPO writing a report on the Protest/Riot response following the George Floyd death
- Ordinance requirement of completing Ride Along's will not be able to be completed due to the Governors mandates.
 - There will need to be a resolution for the Ordinance that waives the ride along piece of the ordinance

San Francisco Highlight of SPD Use of Force Analysis

- City of San Francisco Office of the Controller and Department of Accountability released a report after auditing police use of force where the City of Spokane Police Department was discussed
- SPD was mentioned in one of the recommendations where they utilized the UOF dashboards on the OPO.
- Spokane Police Department “goes beyond simply counting incidents by analyzing UOF data to gain greater insight into how its officers use force”

Commissioners' Business

- OPO Review on the Protests Update – Commissioner Rose
 - Due to a grievance filed by the Police Guild; The OPO is currently unable to create the report pertaining to the May/June protests.

- The OPO was going to do an independent review of the police response to the protests that occurred.
- Budget Request Update – Commissioners Rose
 - After 2 years the OPO was granted FTE status for the Administrative Specialist position
- Commissioner Vacancies – Commissioner Rose
 - Council Member Kinnear and Council Member Wilkerson are still finding an applicants
- Chair/Vice Chair Nominations –
 - Commissioner Rose asked if there were any Commissioners that were interested in the positions and asked for nominations for the position of Chair
 - Commissioner Wilburn nominated Commissioner Rose for Chair and Commissioner Smith for Vice-Chair
 - Commissioner Rose asked if Commissioner Smith would be interested in going back to the Chair position for 2021 to which Commissioner Smith said he would be open to that.
 - Commissioner Rose nominated Commissioner Smith for Chair for 2021
 - Commissioner Wilburn Seconded Commissioner Smith for Chair
 - Votes were unanimous for Commissioner Smith to become Chair for 2021
 - Commissioner Smith nominated Commissioner Rose for the position of Vice-Chair
 - Commissioner Wilburn Seconded Commissioner Rose for Vice-Chair
 - Votes were unanimous for Commissioner Rose to become Vice-Chair for 2021
- Commissioner Speak out –
 - Commissioner Wilburn – Shared that his sister passed. Then shared that they were approved to have their Kwanza celebration in the Spokane Valley Mirabeau Center on December 26th.
 - Commissioner Smith – Condolences to Commissioner Wilburn on the loss of his sister. Welcome to the OPOC to Commissioner Jasmin. Would like to express his disappointment to the Police Guild for continuing to make oversight in Spokane difficult and cumbersome. He will not be afraid to call this out every time.
 - Commissioner Rose – Received a request from CP Beggs, Mayor Woodward and Chief Meidl asking her to be part of a board 12 people reviewing ways to make things better in Spokane between SPD and the community
 - Commissioner Jasmin – For someone who just joined the Commission, he feels like the meeting was easy to understand and he appreciates it. To hear that there is a reluctance with oversight from the Police Guild is frustrating. He appreciates that there are great things being done here by the SPD as pointed out by the report in San Francisco, it will only go so far without true accountability.
- December Meeting

- Due to the need for a resolution on the ordinance a Special Meeting is requested for December 1st, 2020
- Votes were unanimous for a December 1st, 2020 Special Meeting

Motion Passes or Fails: 5

Meeting Adjourned at: 6:53pm

**Note: Minutes are summarized by staff. A video recording of the meeting is on file -
Spokane Office of Police Ombudsman Commission**

<https://my.spokanecity.org/bcc/commissions/ombudsman-commission/>



Office of Police Ombudsman Commission Minutes

October 20, 2020

Meeting Minutes: 0:08

Meeting called to order at 5:31pm

Attendance

- OPOC Commissioners present: Ladd Smith, Jenny Rose, James Wilburn, Luc Jasmin
- Legal Counsel: David Bingaman
- OPO staff members present: Bart Logue, Luvimae Omana and Christina Coty

Items Session

- Agenda approved

Public Forum

- None

Commissioners' Business

- Resolution to the OPO Ordinance 2020-1 – Commissioner Rose
 - Due to Covid-19 restrictions placed on the state of Washington, by the Governor. The resolution will waive the requirement of 2 ride alongs in a year for the Ombudsman, as set forth in Spokane Municipal Code 04.32.070(A)
 - OPOC Legal Counsel, Mr. Bingaman stated that City Council would also be taking up a resolution on the issue.
 - Unanimous Approval

Motion Passes or Fails: 2

Meeting Adjourned at: 5:39pm

**Note: Minutes are summarized by staff. A video recording of the meeting is on file -
Spokane Office of Police Ombudsman Commission**

<https://my.spokanecity.org/bcc/commissions/ombudsman-commission/>



Office of the Police Ombudsman

808 W. Spokane Falls Blvd.
 Spokane, WA 99201
 509.625.6742 / spdombudsman.org

January 5, 2021

Public Safety & Community Health Committee Report

Reporting Period: December 1-31, 2020

Snapshot of Activities		Monthly	Year to Date
Community Outreach			
OPO	Total community events and meetings	3	56
OPOC	Community outreach / activities	1	30
Contacts		74	1232
Commendations		1	7
Complaints			
	Received complaints	4	52
	Referred complaints	7	109
Case Review			
	Request for further investigation	0	21
	Investigations certified / concurred	4	76
	Declined certifications	0	0
	Special cases reviewed	13	150
Interviews			
	OPO interviews	6	129
	Internal Affairs interviews	2	51
Training		3	82
Critical Incidents		0	3
Mediations			
	Recommended	0	1
	Conducted	0	1
	Declined	0	0
Recommendations		0	0
Other Activities			
SPD Related	Meetings / contacts	18	337
	Review boards / D-ARP's	2	17
	Closing meetings	0	0

1. **Outreach**
 - a) **OPO**
 - i. OPOC Meeting (12/1)
 - ii. Transformational Leadership Round Table (12/14)
 - iii. Leadership 2020 Event (12/16)
 - b) **OPOC**
 - i. OPOC Special Meeting (12/1)
2. **Commendations / Complaints / Referrals**
 - a) **Complaints**
 - i. **OPO 20-56** – Inadequate Response; Complainant alleges that SPD stated they had mental problems and discouraged them from sending a complaint
 - ii. **OPO 20-57** – Excessive Force / Demeanor / Improper Search; Complainant alleges that officers used excessive force on them during a CPS visit to their home, in addition to searching their residence without obtaining their approval.
 - iii. **OPO 20-58** – Inadequate Response; Complainant alleges that the person involved in a hit and run hitting their home was not charged appropriately with the crime.
 - iv. **OPO 20-59** – Excessive Force /Inadequate Response; Complainant concerned with the tactics and force utilized while arresting a minor having a mental health crisis
 - b) **Commendations**
 - i. **OPO 20-55** – Officer Schwering
 - c) **Referrals**
 - i. **IR 20-97** – Concerned with SPD allegedly breaking into their apartment
 - ii. **ER 20-98¹**– Requested handicapped parking painted in front of nursing facility; Streets Department
 - iii. **IR 20-99²** – Concerned about harassment of officers; SPD/IA
 - iv. **IR 20-100** – Concerned about discrimination when requesting help from officers; SPD/IA
 - v. **IR 20-101** – Concerned about officers driving in the snowstorm with no headlights on; SPD/IA
 - vi. **ER 20-101** – Concerned with neighbors leaving trash in her yard; Code Enforcement
 - vii. **IR 20-102** – Concerned with harassment from landlord and no help from the SPD; SPD/IA
3. **Case Review**
 - i. **C20-047/OPO 20-47** – Investigation certified
 - ii. **C20-061/OPO 20-42** – Investigation certified
 - iii. **C20-078/OPO 20-51** – Investigation certified
 - iv. **C20-083/OPO 20-54** – Investigation certified

¹ Duplicate number assigned

² Duplicate number assigned

4. Special Cases Reviewed

- i. 9 Use of Force
- ii. 0 K9
- iii. 3 Collisions
- iv. 1 Pursuits

5. Activities

a) OPO staff members participated/engaged in the following other activities:

- i. PSCHC Meeting (12/1)
- ii. Alternatives to Policing (12/2)
- iii. Leadership Spokane Events Planning (12/7)
- iv. NACOLE Strategic Planning Committee (12/8)
- v. NACOLE Use of Force Working Group (12/8)
- vi. Leadership Spokane Alumni Board (12/09)
- vii. Leadership 2020 (12/10)
- viii. Leadership Spokane Gala Committee (12/16)
- ix. Leadership Spokane Field Trip Event (12/17)
- x. NACOLE Member Standards and Development Committee (12/23)
- xi. Training – Use of Force Summit Webinars (12/1 – 12/21)
- xii. Training – NYC CCRB and Oversight Webinar (12/16)
- xiii. Training – AGO’s PRA University – Case Law and Legal Update (12/16)

b) SPD related

- i. 16 meetings/contacts with IA
- ii. 4 meetings/contacts with SPD

c) OPO met with/had contact with OPO Commissioners/staff:

- i. Commissioner Rose on (12/1, 12/10, 12/21)
- ii. Commissioner Smith on (12/1, 12/10, 12/21, 12/22)
- iii. Commissioner Wilburn on (12/1, 12/21)
- iv. Commissioner Jasmin on (12/1, 12/21, 12/31)
- v. OPOC Legal Counsel Mr. Bingaman on (12/1)

d) OPO met with/had contact with City Council:

- i. Council Member Burke (12/15)
- ii. Council Member Mumm (12/17 x2, 12/23)

6. Next Steps

- a. OPO & OPOC 2020 Annual Report



MEDIA RELEASE



SIIR Team Investigating Officer-Involved Shooting at Ash and Queen in north Spokane

A traffic stop of a homicide suspect ended in shots being fired by the suspect and responding Officers. Officers attempted to make a traffic stop on the suspect, who then attempted to flee. Officers immediately used a PIT maneuver on the suspect car to avoid a vehicle pursuit. Once the vehicle came to a stop, the suspect exited the vehicle firing his weapon. Several Officers on scene returned fire hitting the suspect. After the scene was made safe, Officers provided medical attention, but the suspect died at the scene.

No uninvolved citizens or Officers were injured during this incident. The Spokane Independent Investigative Response (SIIR) Team is investigating.

On December 27th, 2020 Detectives from the Spokane Police Department conducted a homicide investigation at 51 S Madelia St (See previous press release). Over the course of the investigation, Major Crimes Detectives developed probable cause and had a warrant issued for the suspect for 2nd degree murder.

On January 5, 2021 Officers were notified of a possible location for the suspect. Officers observed the suspect inside of a vehicle driving in north Spokane. Due to the serious nature of the crime, a plan was formulated to apprehend the suspect. Officers from several specialty units were used to conduct a traffic stop on the suspect's vehicle. As Officers attempted to make that traffic stop, the suspect attempted to flee in the vehicle. To avoid a vehicle pursuit, Officers were able to quickly PIT the suspect's vehicle, causing it to spin out in the intersection of Queen and Ash. After the vehicle came to a stop, the suspect exited a short time later firing a weapon. Officers returned fire, striking the suspect. After the scene was safe Officers moved in and started life saving measures on the suspect. Medics from the Spokane Fire Department and AMR responded and also attempted life saving measures. However, the suspect was pronounced dead at the scene.

The Officer Involved Protocol was enacted. The SIIR Team is on-scene investigating the incident and processing the scene. The SIIR Team is comprised of multiple agencies in eastern Washington, including the Spokane County Sheriff's Office, the Washington State Patrol and the Spokane Police Department.

- *The Spokane County Sheriff's Office is the managing agency in this incident. All future communications on this incident will be sent via the SIIR Team.*
- *The Spokane Police Department will release the name of the officers involved in this incident.*

- *Once the SIIR Team investigation is complete the case will be forwarded to the Spokane County Prosecutor's Office for review.*
- *The Spokane County Medical Examiner's Office will release the deceased's name when appropriate.*