



MEETING AGENDA

Tuesday, April 21, 2026
5:30 PM - 7:00 PM

City Council Chambers:
808 W Spokane Falls Blvd
Spokane, WA 99201

Commissioners:

Luc Jasmin III
Amy McColm
Jenny Rose
Anabelle Henry

OPOC Legal

Brennan Schreibman

OPO Staff:

Bart Logue
Christina Coty

Introduction - *Commissioner Jasmin*

- Welcome to OPOC Meeting
- Introduction of Commissioner Henry
- Remembering Commissioner Phillip “Dutch” Wetzel
- April Agenda Approval
- February Minutes Approval
- Public Forum
- Guest Speaker - Maggie Yates: Deputy City Administrator

OPO Reports - *Bart Logue*

- OPO March Monthly Report
- Closing Report C25-065

OPOC Business - *Commissioner Jasmin*

- Closing Report Recommendations Vote
- June Meeting
- Commissioner Speak Out
- Executive Session

The next scheduled OPOC meeting will be held on May 19, 2026

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. Individuals requesting reasonable accommodations or further information may call, write, or email Human Resources at 509.625.6373, 808 W. Spokane Falls Blvd, Spokane, WA, 99201; or ddecorde@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 Ombuds Commission Minutes

February 17, 2026

Meeting Minutes: 1:05

Meeting called to order at: 5:31

Attendance

- OPOC Commissioners present: Jenny Rose, Luc Jasmin, Amy McColm,
- OPOC Commissioners absent: Phillip Wetzel
- OPO staff members present: Bart Logue, Lissa Mascio, Christina Coty
- OPOC Legal: Brennan Schreiber

Introduction

- Agenda and minutes – Commissioner Rose moved to approve the January and February Special meeting minutes; Commissioner McColm: seconded. **Approved – Unanimous**; Commissioner McColm moved to approve the agenda; Commissioner Rose seconded. **Approved – Unanimous**
- Public Forum – No one signed up to speak

OPO Reports

- January Monthly Report – 237 contacts, 24 OPO Interviews, 8 Complaints, 12 Referrals, 7 Cases Certified, 1 Case Declined to Certify, 8 Web Cases Reviewed, 2 Review Boards, 12 Special Cases, 81 SPD Contacts, 14 Oversight meetings, 4 Trainings
- Closing Report F25-033
 - R26-01 - R26-04

OPOC Business

- Closing Report F25-033 Recommendations Vote
 - R26-01: SPD should update Policy 301 to define intentionally striking a pedestrian with a police vehicle is expressly designated as a use of deadly force. I further recommend updating section 301.8 Prohibited Force Tactics, section 301.10. Reporting, and section 301.11 Notifications.
 - R26-02: Policy 314 should be clarified to include that vehicle maneuvers intended to block or contain may be considered intermediate force, but intentional impact directed at a person (pedestrian or bicyclist) is considered deadly force and must meet the necessity standard and handled through the deadly force reporting and investigation
 - R26-03: SPD should update Policy 302 Use of Force and Deadly Force Administrative Review and Policy 310 Investigations of Deadly Force to ensure that an intentional vehicle strike or an attempted vehicle strike falls within the deadly force protocols including officer due process rights, SIIR/IA/OII investigations, and review by a Deadly Force Review Board.
 - R26-04: SPD Policy 502 should be updated to explicitly state that any collision involving intentional vehicle contact used to stop, control, or apprehend a person is governed primarily as a use of force. When intentional vehicle contact is made against a person, it is treated as a deadly force incident involving officer due process rights, SIIR/Internal Affairs (IA)/OII investigations, and a DFRB review.

- Commissioner Rose moved to approve; Commissioner McColm seconded. **Approved – Unanimous**
- OPOC Investigation Findings
 - Commissioner Rose moved to change the minutes to include the verbiage Commissioner McColm used during the meeting on 2/4/26 Commissioner Rose, Commissioner McColm seconded. **Approved – Unanimous**
 - Commissioner McColm motioned to put the findings report to the OPOC web page. Commissioner Rose seconded. **Approved – Unanimous**
- Commissioner Speak Out
 - Commissioner Jasmin – I just wanted to say thank-you to Lissa for her service as the Deputy Ombuds for the OPO.
 - Commissioner McColm – Thanked the OPO for sending the video and the reports for the protest review. Please make sure that you give you some time to review. There is a lot of BWC and a 500 plus page report to review. She encouraged the commissioner to take the time to review.
 - Commissioner Rose – Nothing at this time
- Executive session 6:10 – 6:25
 - Extended to 6:33
 - The OPOC moved to approve Memorandum of findings; Commissioner Rose motioned. Commissioner McColm seconded. **Approved – Unanimous**
 - No Final Action from Executive Session
- March Meeting: Commissioner Rose moved to cancel the March meeting; Commissioner Jasmin seconded. Commissioner Rose and Commissioner Jasmin – Aye, McColm – Nay; **Approved**

Motion Passes or Fails: 7

Meeting Adjourned at: 6:36pm

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/>

MARCH / 2026



Public Safety & Community
Health Committee

Monthly Report

 <https://my.spokanecity.org/opo/>

 opo@spokanecity.org



CITY OF SPOKANE
OFFICE OF THE
POLICE OMBUDS

Highlights of activities

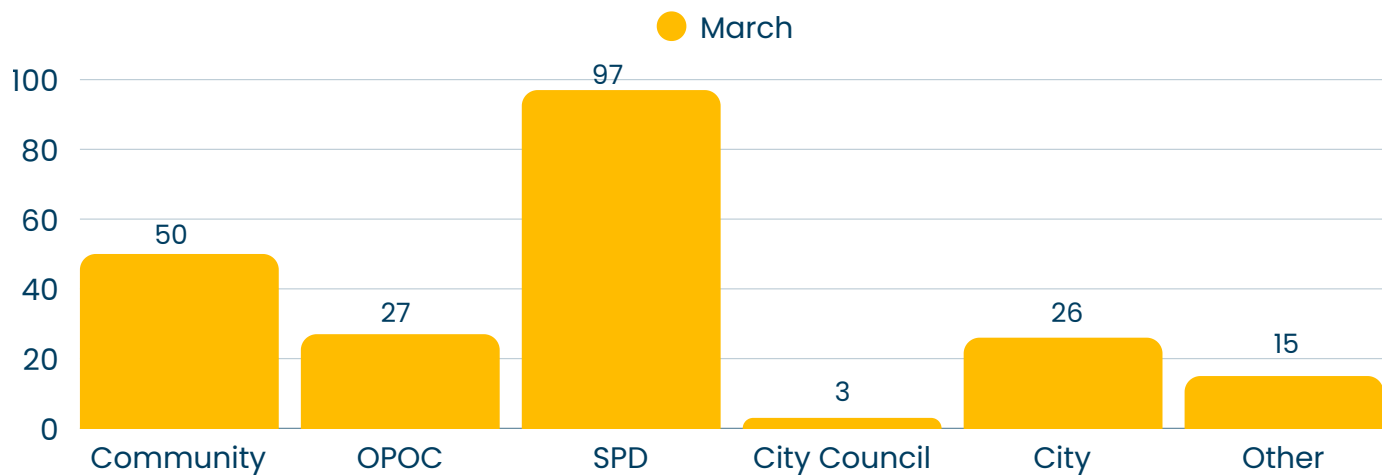
CURRENT	YTD	CONTACTS, COMPLAINTS, AND REFERRALS
218	714	Contacts
14	47	OPO interviews
0	2	Letters of officer appreciation / commendations
6	17	OPO generated complaints
4	25	Referrals to other agencies / departments
0	0	Cases offered to SPD for mediation
0	0	Mediations completed

CURRENT	YTD	IA INVESTIGATION OVERSIGHT
9	26	Cases certified
1	2	Cases returned for further investigation
0	1	Cases declined to certify
10	25	Web cases reviewed
16	50	Oversight of IA interviews

CURRENT	YTD	OTHER OVERSIGHT ACTIVITIES
12	36	Special cases reviewed*
1	4	SPD review boards / D-ARPs
97	257	Meetings with SPD
12	34	Oversight meetings
15	53	Community meetings
5	13	Training
0	1	Critical incidents

*Use of Force, K9, Collisions, Pursuits, and Administrative Review

Contacts



COMMUNITY MEETINGS

- RENEWAL FORMATION
- WSCJTC DIRECTOR RETIREMENT
- GONZAGA BULLETIN MEDIA INQUIRY
- LEADERSHIP SPOKANE
- KREM MEDIA REQUEST

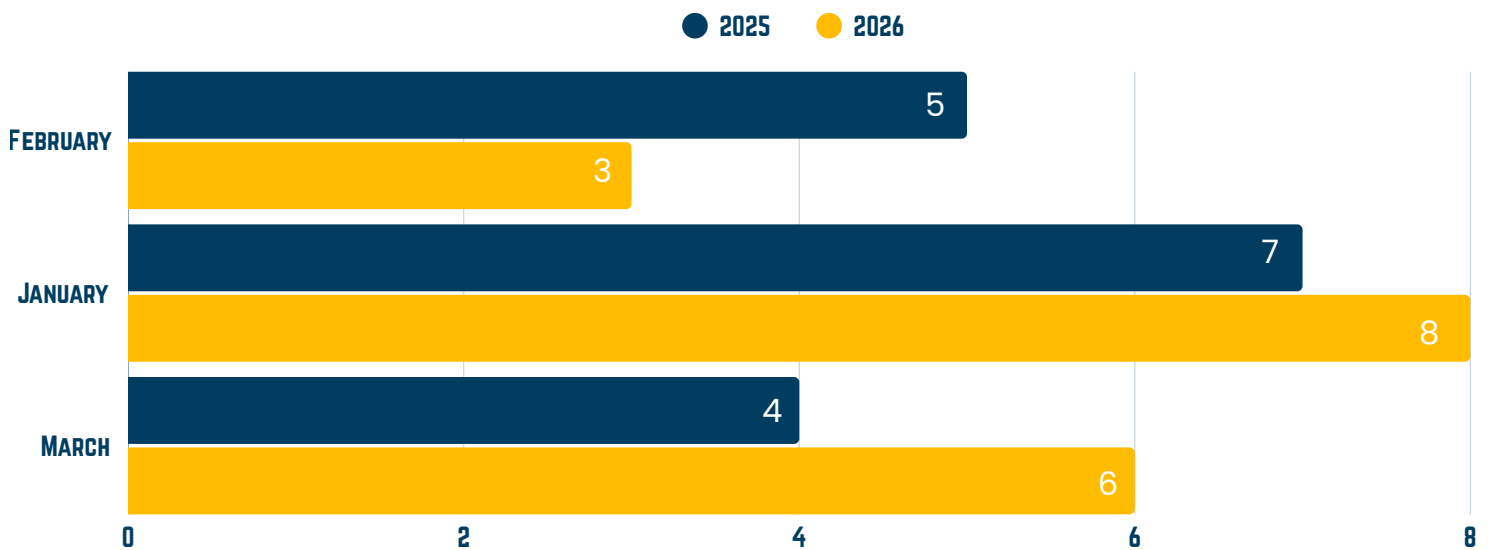
OPOC ACTIVITIES

- 20 YEARS REMEMBERING OTTO ZEHM VIGIL
- NAACP MEETING
- LEADERSHIP SPOKANE ACTIVITIES
- NEIGHBORHOOD COUNCIL MEETING

OVERSIGHT / OUTREACH

- MEETING WITH CHIEF HALL
- SPD USE OF FORCE REVIEW BOARD
- POLICE ACCOUNTABILITY AND COMMUNITY ENGAGEMENT DISCUSSION - BERKLEY OFFICE OF THE DIRECTOR OF POLICE ACCOUNTABILITY
- NACOLE BOARD / EXECUTIVE COMMITTEE MEETINGS
- NACOLE FINANCE / ELECTION AND BYLAWS COMMITTEE MEETINGS
- WSCJTC COMMISSION MEETING

Complaints



Monthly comparison of OPO complaints

Summary of Complaints

OPO 26-12	A community member was concerned about an SPD officer's behavior while they were arresting a female.
OPO 26-13	A community member stated that SPD officers used force on them when they stated that they did not need to speak with officers.
OPO 26-14	A community member stated that their case was not investigated thoroughly due to the officer's bias regarding the complainants gender.
OPO 26-15	A community member witnessed an SPD vehicle being driven at a high rate of speed with no emergency lights west bound on I-90.
OPO 26-16	A community member's attorney contacted the OPO regarding a concern of a pattern of harassment.
OPO 26-17	A community member was frustrated with the lack of de-escalation skills demonstrated by responding officers in a highly emotional situation involving the death of an animal.

Referrals

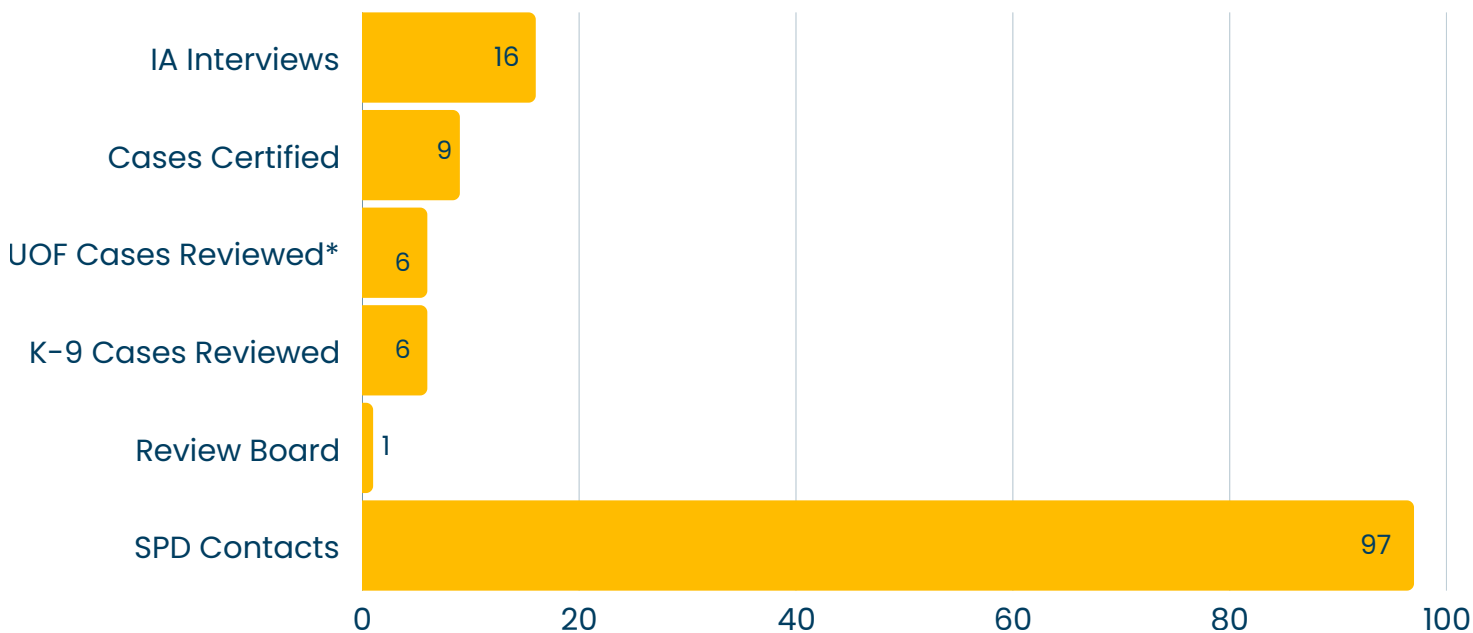
Type of Referral	#
Internal	2
External	2



SUMMARY OF REFERRALS

IR 26-22	A community member was frustrated that a woman was not arrested for DUI Hit and Run; SPD / IA
ER 26-23	A community member made a complaint that they have been harassed by the Sheriff's Department; SCSO
ER 26-24	A community member was concerned about how they have been billed by the City of Spokane Utilities Department; Utility Billing Department
IR 26-25	A community member was frustrated that the SPD knocked on their door excessively just to take a report; SPD/IA

Oversight Activities



TRAINING

- FEBRUARY SAFETY SPOTLIGHT
- MARCH SAFETY SPOTLIGHT
- NACOLE QUARTERLY JAILS AND PRISON FORUM
- SPD PRESENTATION: PRINCIPLES AND APPLICATION OF IDENTITY-BASED CROWD PSYCHOLOGY BY PROFESSOR STOTT
- RDT LEADERSHIP TRAINING

UPCOMING

- DEPUTY POLICE OMBUDS INTERVIEW PANEL*
- CLOSING REPORT C25-065
- JUNE 11TH PROTEST CLOSING REPORT
- OPO ANNUAL REPORT
- OPOC ANNUAL REPORT

OPOC Meetings - In person: Every 3rd Tuesday @ 5:30pm in City Hall | Virtual: available
For more information visit: <https://my.spokanecity.org/opoc>

F25-065

OMBUDS CLOSING REPORT

AND RECOMMENDATIONS



**OFFICE OF THE
POLICE OMBUDS**
INDEPENDENT CIVILIAN OVERSIGHT

This report was authored by and Bart Logue, Police Ombuds, and Lissa Mascio, Deputy Police Ombuds (former). The Office of the Police Ombuds (OPO) presented this report to the Office of the Police Ombuds Commission on April 21, 2026.

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At our office:

1st Floor, City Hall
808 W. Spokane Falls Blvd.
Spokane, WA 99201

Hours:

M-F, 8:00 AM – 4:30 PM

Table of Contents

Executive Summary	3
Staff Information	4
Attestation	5
Mission, Authority, and Purpose	6
Required Disclosures	7
F25-065	8
Procedural History.....	8
OPO Summary of Facts	9
Incident	9
Complainant account	10
Officer Account	11
Officer B’s Intervention and De-escalation	12
OPO Review of Video Footage	13
Review	14
Subject Matter Expert Review.....	15
Supervisor A Review.....	15
Supervisor B Review.....	16
Supervisor C Review.....	17
Recommendations	18
Applicable Policy	18
Use of a Firearm to Compel Compliance	19
Immediate Threat.....	20
Reportable and Reviewable Force Gap	21
De-escalation and Use of Force.....	22
Summary of Recommendations	24

Executive Summary

This report reviews a Spokane Police Department community-member complaint arising from a traffic-control encounter. During the incident, an officer drew a firearm to low ready while attempting to stop a driver from proceeding past a roadblock toward an active emergency scene. SPD reviewed the matter through Internal Affairs and chain of command, but this case was not reviewed by the Use of Force Review Board, despite several concerns identified by supervisors.

This report does not evaluate whether the officer acted properly or whether the findings should have been different. Rather, this report identifies several policy and review gaps exposed by the department's own review. First, current SPD policy does not clearly classify a firearm drawn or displayed at low ready to compel compliance when the officer is not intentionally pointed in. Second, current policy defines "immediate threat of serious physical injury or death" but is ambiguous where a perceived danger remains separated by distance, obstacles, and time for reassessment. Third, the existing distinction between reportable force and reviewable force appears to allow some serious, force-adjacent incidents to generate Internal Affairs review and command concern without reaching the formal review board process. Finally, this case shows that de-escalation and force are not separate tactical judgments, but part of the same decision-making framework.

To address those issues and improve clarity, consistency, and accountability, this report recommends that SPD: (1) clarify in Policy 301 how firearm display used to compel compliance is classified, documented, and reviewed; (2) revise Policy 301 to better distinguish an immediate threat from a possible downstream danger separated by distance, obstacles, or time; (3) narrow the gap between reportable force and reviewable force so significant coercive or force-adjacent incidents are eligible for formal learning review; and (4) more directly integrate de-escalation requirements into the force-analysis framework so that time, distance, cover, repositioning, and coordinated communication are treated as central to necessity and proportionality.

Staff Information

Bart Logue, Police Ombuds

Bart Logue began serving in this capacity in September 2016, after serving as the Interim Police Ombuds. Bart also serves as a Commissioner on the Washington State Criminal Justice Training Commission. Bart is a Certified Practitioner of Oversight through the National Association for Civilian Oversight of Law Enforcement (NACOLE). Bart has a Master of Forensic Sciences from National University and a Master of National Security Affairs from the Naval Postgraduate School. Bart is a graduate of the Federal Bureau of Investigation National Academy, Session 239, and is also a certified Advanced Force Science Specialist.

Lissa Mascio, Deputy Police Ombuds (former)

Lissa joined the Office of the Police Ombuds in July 2025. She has a Bachelor's Degree in Journalism and English from the University of New Hampshire and a Juris Doctorate from Hofstra University School of Law. Lissa is licensed to practice law in New Hampshire and Washington State.

Christina Coty, Administrative Specialist

Christina began working at the City of Spokane in 2015 for the ITSD department in contract procurement and joined the Office of the Police Ombuds in 2018. Christina is a Certified Practitioner of Oversight through NACOLE. Prior to her work at the City of Spokane she worked for Sony Electronics as a Regional Sales Manager managing the retail store operations in Southern California.

Tim Szambelan, OPO Attorney

Tim works in the Civil Division of the City Attorney's Office and currently represents the Office of the Police Ombuds and other departments within the City of Spokane. Tim is licensed to practice law in Washington and Arizona.

Attestation

This document was reviewed by the City Attorney's Office as to form prior to publishing and also reviewed by the Spokane Police Guild pursuant to the requirements provided in Article 27 of the Agreement between the City of Spokane and the Spokane Police Guild (2023-2026).

DRAFT

Mission, Authority, and Purpose

The Office of Police Ombuds exists to promote public confidence in the professionalism and accountability of the members of the Spokane Police Department (SPD) by providing independent review of police actions, thoughtful policy recommendations, and ongoing community outreach.

The OPO does so through providing independent and thorough oversight of matters that impact the community and the department. We desire to help bridge the gap between the community and the SPD by writing closing reports on cases that are of public concern to increase accountability and transparency into the matter as well as closing reports that may lead to recommendations for improving police policies or practices. By insisting on transparency, our goal is to help eliminate similar incidents in the future and ensure that the practices contained herein are limited and/or never happen again. It is also our intent to highlight effective police practices to give the community a better understanding as to why those practices were utilized, although this is limited by provisions within the 2023-2026 Collective Bargaining Agreement (CBA).

Spokane Municipal Code (SMC) §04.32.030 and the CBA provide authority for the OPO to publish closing reports on a case once it has been certified by the Police Ombuds or Deputy Police Ombuds and the Chief of Police has made a final determination in the matter. The OPO can also publish policy and procedure reports regarding cases the OPO reviews during a review board process. The OPO's recommendations will not concern discipline in specific cases or officers and shall not be used in disciplinary proceedings of bargaining unit employees. Reports are solely meant to further discussion on aspects of incidents that may be improved upon.

Reports also provide opportunities for policy and procedure recommendations that can result in improved police performance through their eventual implementation. Writing a report allows the OPO to provide a more thorough review of what occurred in an incident to offer recommendations for improving the quality of police investigations and practices, including the Internal Affairs (IA) investigative process, policies, and training or any other related matter.

The OPO may also recommend mediation to the Chief of Police at any time prior to certifying a case. Should all parties agree, and the officer(s) participate in good faith, the OPO may publish a report following a mediation including any agreements reached between parties. Mediations are governed by the Revised Code of Washington (RCW) 7.07.070 and are considered confidential. The content of the mediation may not be used by the City or any other party in any criminal or disciplinary process.

Required Disclosures

Under Article 27 of the current CBA's between the City of Spokane the Spokane Police Guild, and the Lieutenants and Captains Association, this report must provide the following disclosures:

1. Any closing report from an IA investigation shall clearly state the information expressed within the report is the perspective of the OPO, that the OPO does not speak for the City on the matter, and the report is not an official determination of what occurred.
2. The report will include the current policy practice, policy, and/or training as applicable and shall expressly state the policy recommendations that follow reflects the OPO's opinion on modifications that may assist the department in reducing the likelihood of harm in the future; they do not reflect an opinion on individual job performance under the current policy, practice, or training.
3. A report shall not comment on discipline of an officer(s). This prohibition includes a prohibition on writing in a report whether the OPO or OPOC agrees with or differs from the Chief's findings, whether the officer acted properly, whether the officer's actions were acceptable, or whether the officer's actions were in compliance with training or policy. Additionally, no report will criticize an officer or witness or include a statement on the OPO or OPOC's opinion on the veracity or credibility of an officer or witness.
4. The OPO's closing report shall not be used by the City as a basis to open or re-open complaints against any bargaining unit employees, or to reconsider any decision(s) previously made concerning discipline.
5. The report may not be used in disciplinary proceedings or other tangible adverse employment actions against bargaining unit employees, but not limited to decisions regarding defense and indemnification of an officer.
6. The names of officers or witnesses may not be disclosed.¹

Additional information and records regarding this matter are available through the City Clerk's Office by [Public Records Requests](#).

¹ In addition to not mentioning officer or witness names, every effort was made to remove identifying pronouns throughout this report. The same standard was used for the other involved persons.

F25-065

Procedural History

This incident arose from a July 08, 2025, traffic-control encounter during a wildfire response near 2800 W. Elliot Drive. Spokane Police officers were managing road closures, evacuations, and traffic control near Spokane Falls Community College when a Community Member drove up to a roadblock staffed by Officer A. The Community Member later alleged that Officer A drew their pistol and threatened them after directing them to turn around. The Community Member then filed a complaint with Internal Affairs, which opened an investigation into allegations of Excessive Force under SPD Policy 301 and Demeanor under SPD Policy 340.3.2.K.

The IA investigation was assigned to the Investigator on July 15, 2025. The investigation included follow-up with the Community Member, collection of two dash camera videos, review of CAD notes, Officer A's supplemental report, and body-worn camera footage from both Officer A and Officer B. The Community Member later provided additional concerns by text, including that Officer A unjustifiably pulled a gun on them, continued speaking aggressively during Officer B's intervention, and appeared willing to shoot someone trying to reach their home during the fire. Officer A was interviewed on December 3, 2025, and stated they believed the Community Member was going to drive through the blockade and toward firefighters farther down the roadway.² The investigation also included a tactical opinion from Officer D, a Subject Matter Expert (SME) inside of the Department.

The investigation was originally routed to the OPO for certification on October 07 and was returned by the Police Ombuds for further investigation on October 08. Once the investigation was completed, the Police Ombuds certified the investigation on December 12, and the investigation was sent for a Chain of Command review. Supervisor A and Supervisor B recommended Not Sustained findings on the excessive force and demeanor allegations, while also identifying training needs related to tactics, communication, and de-escalation. Supervisor C was the final reviewer and made a finding determination on January 02, 2026.³ Officer A provided a statement of rebuttal and Supervisor C made the final determination on February 03, 2026.

The OPO's summary of facts are based upon a careful review of the IA investigation, reports, BWC footage, the chain of command review, and participation and certification of the complaint investigation. This report provides an analysis of issues identified through the investigative and chain of command review processes, which allow for a closing report.

² For context, three firefighters were ambushed and two were killed at Canfield Mountain, near Coeur d'Alene, on June 29th, 2025, just over a week before this incident on July 8th. The shootings had been covered in the local and national news. https://www.kxly.com/news/this-was-a-total-ambush-kootenai-co-sheriff-believes-only-gunman-in-coeur-dalene-shooting/article_def00f0a-c42c-484f-bf90-25782db8a208.html

³ Under the agreements between the City, the Police Guild, and the Lieutenants and Captains Association in the current CBAs, the OPO is prohibited from mentioning whether the officer(s) acted properly, whether the officer's actions were acceptable, or whether or not the officer's actions were in compliance with training or policy. As such, the final determination by the chain of command cannot be mentioned.

OPO Summary of Facts

Incident⁴

On July 08, 2025, Spokane Police officers responded to the area of 2800 W. Elliot Drive after multiple reports of fires near the Spokane River. The event involved several “bus-sized” fires and prompted a significant emergency response. Apartment buildings, businesses, and Spokane Falls Community College facilities in the area were being evacuated, roadways were closed, and officers were being used both for traffic control and to help locate a suspect associated with the broader fire incident.

Officer A was assigned to traffic control on West Whistalks Way near Spokane Falls Community College. Their patrol vehicle was positioned to block roadway access toward the fire area.⁵ In their supplemental report, Officer A described numerous emergency conditions on scene, including firefighters, fire apparatus, and hoses in the roadway, as well as a large-scale evacuation involving apartment complexes and a daycare. Officer A reported that other motorists had already been contacting them seeking to drive through the closure in order to reach apartments in the area.⁶

Shortly before the incident with the Community Member, Officer A had directed another driver in a pickup truck to park and walk in rather than continue driving past the closure.⁷ The IA summary notes that body-worn camera showed Officer A speaking to that prior driver in a raised voice as well,⁸ which Supervisor A later considered relevant to Officer A’s demeanor and emotional presentation before the interaction with the Community Member.⁹

The Community Member drove up to the roadblock in a black Dodge Charger.¹⁰ Officer A approached and stated they could not continue driving down the closed roadway. The Community Member said they lived farther down the road. Officer A responded that they would have to park and walk in but would not be allowed to drive farther. As Officer A began moving back toward their patrol vehicle, they heard the Community Member say, “you can’t stop me.”¹¹

At that point, the Community Members’ vehicle moved forward.¹² Officer A reported that the vehicle’s wheels were not turned which is seen in their BWC footage,¹³ and Officer A interpreted the vehicle’s movement as an indication that the Community Member intended to continue straight ahead toward the blocked fire area rather than turn around.¹⁴ Officer A then drew their handgun to a low-ready position and ordered the Community Member to stop.¹⁵ Officer A wrote that they did

⁴ C25-065 IA Additional at 1 (uploaded to IAPro on Dec 16, 2025).

⁵ *Id.*

⁶ Officer A’s Field Case Report, case 2025-20137208 at 2 (July 08, 2025).

⁷ Officer A’s BWC at 7:35.

⁸ C25-065 IA Additional at 5 (uploaded to IAPro on Dec 16, 2025).

⁹ Supervisor A’s Supervisor Review for C25-065 at 3 (Dec 18, 2025).

¹⁰ Officer A’s BWC at 8:05.

¹¹ Officer A’s Field Case Report, case 2025-20137208 at 2 (July 08, 2025).

¹² Officer A’s BWC at 8:20.

¹³ *Id.* at 8:22.

¹⁴ Officer A’s Field Case Report, case 2025-20137208 at 2 (July 08, 2025).

¹⁵ Officer A’s BWC at 8:21.

not point their firearm at the Community Member, but drew it because they believed the Community Member was refusing commands and potentially driving toward firefighters and emergency vehicles, creating a risk of life-threatening injury.¹⁶ The Community Member then stopped the vehicle.¹⁷

The interaction did not end immediately after the vehicle stopped. The Community Member began telling Officer A that they were being recorded on dash camera and argued that they were trying to comply with Officer A's direction to turn around or move their vehicle out of the roadway.¹⁸ Officer B then approached and took over much of the communication with the Community Member.¹⁹ The Community Member parked in the SFCC parking lot and returned to continue to complain about Officer A's conduct to Officer B. Officer B provided the Community Member with identifying information for both officers in writing.²⁰ A second interaction with Officer A occurred a few minutes later,²¹ and Officer C also spoke with the Community Member about their complaint while the broader fire incident was still ongoing.

Complainant account

The Community Member's complaint was that Officer A unjustifiably drew a firearm while they were attempting to follow directions during an emergency. In their written complaint, the Community member stated that as they pulled up to the roadblock, an officer instructed them to either turn around or park and walk. The Community Member alleged that when they attempted to follow those directions by moving forward to park, Officer A turned, drew their service weapon, and threatened them with it. The Community Member contrasted Officer A's behavior with Officer B's, describing Officer B as civil and helpful.²²

The Community Member later elaborated on their concerns in text exchanges with the IA Investigator. They stated that Officer A "pulled [their] weapon unjustifiably" and characterized the conduct as "brandishing a firearm." They also complained that Officer A continued "running [their] mouth" while Officer B was trying to speak with them, and said they viewed Officer A as a "hothead." The Community Member expressed particular concern that Officer A appeared willing to shoot someone who was trying to get to their home and save belongings during a fire. They further stated that if Officer A truly believed they posed that serious a threat, then they should have been arrested and placed in a patrol car rather than confronted with a drawn firearm.²³

When the Investigator asked the Community Member what they meant by saying "you can't stop me," the Community Member explained that they meant Officer A could not stop them from getting to their apartment by some safe method, whether by driving or walking. They did not intend it to mean that they would force their way through the roadblock. The Community Member

¹⁶ Officer A's Field Case Report, case 2025-20137208 at 2 (July 08, 2025).

¹⁷ Officer A's BWC at 8:24.

¹⁸ *Id.* at 8:24 – 8:38.

¹⁹ *Id.* at 8:41.

²⁰ Officer B's BWC at 9:59.

²¹ Officer A's BWC at 21:31.

²² Community Member's Web Complaint Form (July 08, 2025).

²³ Text message exchange between the Community Member and IA Investigator (July 30, 2025).

also stated that they believed Officer A’s positioning in the roadway prevented them from actually turning around or parking when instructed. The Community Member told the Investigator that they wanted accountability, training, or discipline when an officer makes a mistake, rather than what they viewed as a meaningless reprimand. They also expressed fear that a frustrated or “hotheaded” officer might overreact in the future.²⁴

Officer Account

Officer A consistently stated that they perceived the Community Member’s actions as presenting a potential threat to themselves and to firefighters staged farther down the roadway. In their report, Officer A wrote that after the Community Member said “you can’t stop me,” they heard the vehicle driving forward and observed that its wheels were not turned, taking it to mean that the Community Member intended to continue straight ahead. Officer A stated that because of the potential for life-threatening injuries to fire personnel, and the Community Member’s refusal to obey commands to turn around, they drew their handgun to the low-ready position and directed the Community Member to stop.²⁵

In their administrative interview, Officer A stated that they believed the Community Member was going to drive “through me and into a crowd of firefighters that were in the street.”²⁶ They estimated there were “probably at least a dozen firefighters and hoses across the street just east” of their vehicle.²⁷ Officer A further explained that the incident occurred about a week after the Coeur d’Alene attack in which firefighters were shot and killed while fighting a fire, and that this recent event affected their perception of the encounter. Officer A said they “kind of took it as a threat towards them.”²⁸

When asked about their demeanor, Officer A acknowledged that their interaction with the Community Member was elevated once they tried to drive past Officer A. Officer A stated they were at least somewhat frustrated with drivers at the traffic-control post.²⁹ The Investigator stated in their summary that Officer A appeared elevated not only with the Community Member, but in the encounter with the prior driver as well.³⁰ Officer A did not agree that they were in a heightened emotional state, but they did acknowledge frustration.³¹

The most significant portion of Officer A’s interview, and one later emphasized in supervisor review, came when they were asked what they would have done if the Community Member had continued driving past the blockade toward firefighters.³² Officer A answered that they potentially would have used lethal force to stop the Community Member because, in their view, the Community Member would have been driving into a crowd of fire personnel and their lives would

²⁴ *Id.*

²⁵ Officer A’s Field Case Report, case 2025-20137208 at 2 (July 08, 2025).

²⁶ Transcript of Interview with Officer A at 3 (Dec 03, 2025); and Audio recording at 2:48.

²⁷ Transcript of Interview with Officer A at 2 (Dec 03, 2025); and Audio recording at 2:30.

²⁸ Transcript of Interview with Officer A at 3 (Dec 03, 2025); and Audio recording at 3:04.

²⁹ Transcript of Interview with Officer A at 3 (Dec 03, 2025); and Audio recording at 3:50 – 4:10.

³⁰ C25-065 IA Additional at 5 (uploaded to IAPro on Dec 16, 2025).

³¹ *Id.* at 4.

³² Transcript of Interview with Officer A at 3 (Dec 03, 2025); and Audio recording at 4:38 – 4:45.

have been in danger.³³ Officer A estimated the firefighters were roughly forty yards away and said the Community Member was driving straight rather than turning.³⁴ Officer A also stated that in eight years of patrol work, despite directing traffic a handful of times per month, they had never previously displayed their pistol in response to a driver's behavior at a roadblock.³⁵

In a later rebuttal, Officer A acknowledged that their mood was elevated and that a softer tone would have benefited the public.³⁶ Officer A maintained that they remained professional, gave clear directions, and was attempting to prevent the Community Member from endangering firefighters. Officer A wrote that they tried to create space by walking back toward their patrol vehicle, which they viewed as a de-escalation tactic. However, Officer A believed that the Community Member then showed signs of not obeying commands.³⁷ Officer A also stated that they did not want to arrest the Community Member, engage in a physical struggle, tow their vehicle, or use lethal force, but simply wanted the Community Member to turn around and get out of the roadway.³⁸

Officer B's Intervention and De-escalation

A significant feature of the incident is that Officer B then stepped in and took over much of the communication with the Community Member after the encounter had escalated. The investigative summary states that Officer B approached and spoke with the Community Member, and at one point told Officer A, "I've got it..."³⁹ Officer B then explained the situation to the Community Member, provided identifying information for both officers, and continued the contact in a calm and controlled manner while Officer A moved out of the primary communication role. The Community Member ultimately parked in the SFCC parking lot and continued the encounter through conversation rather than further vehicle movement or physical escalation.

The available record repeatedly reflects Officer B's intervention as a de-escalating influence. Officer D's memorandum specifically noted that it was clear Officer A was in a heightened emotional state and stated that Officer B's actions in stepping in and attempting to defuse the emotional state of both parties "should be commended."⁴⁰ That observation is notable because it identifies Officer B's conduct not merely as routine backup assistance, but as an active effort to lower the intensity of an interaction that had become emotionally charged on both sides.

Officer A's rebuttal letter also supports the view that Officer B's involvement functioned as a de-escalation measure. In that rebuttal, Officer A wrote that Officer B was able to speak with the Community Member after Officer A recognized that their rapport had deteriorated and communication was no longer productive. Officer A described situations like this as ones in which another officer can step in and successfully de-escalate when the first officer has become the focus

³³ Transcript of Interview with Officer A at 3 (Dec 03, 2025); and Audio recording at 4:46 – 4:54.

³⁴ Transcript of Interview with Officer A at 4 (Dec 03, 2025); and Audio recording at 6:48 – 7:05.

³⁵ Transcript of Interview with Officer A at 4 (Dec 03, 2025); and Audio recording at 8:12 – 8:49.

³⁶ Officer A Rebuttal at 2 (January 28, 2026).

³⁷ *Id.*

³⁸ *Id.* at 3.

³⁹ Officer B's BWC at 7:11.

⁴⁰ Memo from Officer D re: Opinion on Actions of SPO [Officer A] during 2025-20137208 (October 09, 2025).

of a subject's frustration. Officer A wrote that they stepped aside while Officer B spoke with the Community Member and stated that this helped bring the incident to a conclusion without any further force being used.⁴¹

OPO Review of Video Footage

The BWC footage⁴² of the incident shows that traffic coming eastbound on W. Whistalks Way was generally stopping at a traffic light at W. Whistalks Way and Mitchell Drive, a wide intersection with a wide 2-lane entrance/exit into the SFCC complex to the left. Prior to encountering the Community Member, Officer A had directed a few vehicles to make the left turn into SFCC to park and walk to their residences down the hill in the fire zone. The Community Member also stopped at the traffic light when Officer A approached the vehicle, yelling "Gotta go back that way," from across the width of the intersection. The Community Member can be heard yelling back, across the wide intersection, that they lived "down there" in the direction smoke was coming from.⁴³

Officer A shouted, still some distance from the vehicle and in the middle of the large intersection, "Okay. Then park and walk in, you're not going that way," [indicating the roadway behind the police vehicles] and then turned their back and started to walk away from the vehicle. The Community Member shouted "you can't stop me, it's my risk," and started to slowly pull forward into the very wide intersection.⁴⁴ Officer A turned back abruptly, gun drawn, yelling "Stop!" At that point, the Community Member's vehicle is barely into the large intersection and still facing forward, pointed towards the broad side of a police vehicle. The Community Member stopped their vehicle when Officer A said to stop, and when Officer A said "you are not driving through the firetrucks," the Community Member made it clear that their intention is to park their vehicle, but that Officer A is blocking the way.⁴⁵ Officer A walked backwards, positioned several feet from the left front of the Community Member's car, but between the car and the entrance to SFCC.⁴⁶ with their gun still drawn, Officer A continued to shout at the Community Member with their gun still drawn while the Community Member shouts back "Can I go fucking park?"

Officer B walked toward Officer A, who continues to walk backwards with their gun in their hand, and continued directly up to the Community Member's driver's side window.⁴⁷ The Community Member's continues to say "Can I go fucking park? Can you tell [Officer A] to get out of my way?" several times⁴⁸ pointing left at the entrance to SFCC, while Officer A continues to shout from behind Officer B, "turn around."⁴⁹ The Community Member's said "I'm gonna get down there one

⁴¹ Officer A Rebuttal at 3 (January 28, 2026).

⁴² The OPO was able to review Officer A's BWC footage, Officer B's BWC footage, and dashcam footage provided by the Community Member, which were part of the IA file.

⁴³ Officer A's BWC at 8:04; Officer B's BWC from a distance, starting at 5:27; and dashcam footage from the Community Member's clip 122369A.mp4 at :04 and :13.

⁴⁴ The Community Member's dashcam clip 122369A.mp4 at :16.

⁴⁵ *Id.* at :25.

⁴⁶ From Officer B's BWC starting at 5:50.

⁴⁷ Officer A's BWC at 8:41; Officer B at 6:15; the Community Member's dashcam 122371A.mp4.

⁴⁸ The Community Member's dashcam 122371A.mp4 at :01.

⁴⁹ Officer B's BWC at 6:17.

way or another, if I have to walk” to Officer B. Officer A continued to engage yelling “No, you’re not driving through fire trucks.” The Community Member never said that they intended to drive anywhere near fire personnel or trucks and finally said to Officer B “I’m not gonna drive. I’m going that way [indicating to the left at the SFCC entrance] and [Officer A] keeps blocking me” pointing to Officer A⁵⁰ and the entrance to SFCC parking behind Officer A.⁵¹

Officer B ultimately directed the Community Member’s to park and their vehicle can be seen drive forward some distance in order to make the left into SFCC.⁵² Throughout the interaction between the Community Member and the Officers, the police car blocks the view of any potential fire personnel or vehicles that are much further down Whistalks Way.⁵³ The Community Member can be seen approaching Officer B and Officer C⁵⁴ twice more, with Officer A approaching yelling again each time, to lodge a complaint about Officer A’s behavior, and the drawing of their weapon, which the Community Member said was “uncalled for.”⁵⁵ At one point, the Community Member stated that all they did was move forward to turn around like Officer A asked me to do and they pulled out their fucking gun.”⁵⁶ Officer B ultimately provided the Community Member with their own and Officer A’s name and badge numbers written on a slip of paper, and told Officer A “we’re done with that.”⁵⁷

Review

The following summaries describe the reasoning reflected in the chain-of-command materials and Blue Team routing history. These summaries are included to document SPD’s review framework, concerns identified by supervisors, and the decision pathways reflected in the record. They are not endorsements or critiques of individual determinations.

The allegations in this case were: Excessive Force – SPD Policy 301; Demeanor – SPD Policy 340.3.2 K; and De-escalation – SPD Policy 300.⁵⁸ The incident ended without arrest or physical injury, but the firearm draw, the verbal exchange, and Officer A’s later statement that they might have used lethal force if the Community Member had continued forward became the central facts during the subject matter expert and chain of command reviews.

⁵⁰ Officer B’s BWC at 6:47 – 7:25; CM A’s dashcam 122371A.mp4 at :32 - :39.

⁵¹ Officer A’s BWC at 9:25.

⁵² Officer A’s BWC at 10:06.

⁵³ Officer B’s BWC at 7:30.

⁵⁴ Officer B’s BWC at 7:30.

⁵⁵ Officer A’s BWC at 12:42; Officer C can be seen speaking with the Community Member on Officer A’s BWC at 20:31, and Officer B’s BWC at 18:30. There is no BWC for Officer C.

⁵⁶ Officer B’s BWC at 18:19.

⁵⁷ Officer A’s BWC at 13:04; Officer B’s BWC at 8:46 and at 18:03.

⁵⁸ This allegation was added after the completion of the Internal Affairs investigation by Supervisor D.

Subject Matter Expert Review

As part of the IA investigation of the Community Member's complaint, Officer D was asked to provide their opinion as a firearms training expert. Officer D concluded:⁵⁹

- Reference SPD Policy 301, Use of Force, this action does not fall into a current definition within the policy. What would have formerly been termed "coercive force" is no longer included as the policy includes the pertinent definitions "Physical Force" (301.2.M) or "Intentional Pointing of a Firearm" (301.2.I). The action of drawing a firearm to the low ready is not defined within policy.
- One could ask whether this action is objectively reasonable given the circumstances provided. As limits are not placed within the policy reference this action as a use of force, one could look at the purpose intended by the action and the tactics used. One could analyze objective reasonableness of drawing a handgun to the low ready by forecasting the action the suspect was undertaking that needed to be stopped. In this case, a person would've driven past a roadblock thereby committing a misdemeanor under RCW 46.61.015. Driving over a firehose is an infraction under RCW 46.61.640.
- Though not a violation of a specific policy, drawing a handgun in this case is tactically unsound. I posit that it would be better for an officer to have [their] hands free to flee from a vehicle failing to stop at a roadblock.
- It is clear in this circumstance that [Officer A] was at a heightened emotional state. Officer B's actions to step in and attempt to defuse emotional state of both parties should be commended.

Supervisor A Review⁶⁰

Supervisor A wrote a review on the investigation and arrived at their suggested finding of "Not Sustained" for both allegations of Excessive Force and Demeanor. Supervisor A also identified training needs in communication and traffic mitigation options. Supervisor A noted the following elements to arrive at their suggested findings:⁶¹

- Supervisor A highlighted Officer A's statement that they potentially would have used lethal force if the Community Member had driven past the blockade toward firefighters.⁶²
- Supervisor A noted that drawing a firearm to low ready was not clearly defined within current policy, relying in part on Officer D's memo.⁶³

⁵⁹ Memo from Officer D re: Opinion on Actions of SPO [Officer A] during 2025-20137208 (October 09, 2025).

⁶⁰ Supervisor A's Supervisor Review for C25-065 (Dec 18, 2025).

⁶¹ These elements are not all-inclusive nor direct quotes. For full context, refer to Supervisor A's Supervisor Review for C25-065.

⁶² Supervisor A's Supervisor Review for C25-065 at 1 (Dec 18, 2025).

⁶³ *Id.* at 1.

- Supervisor A wrote that Officer A “in [their] mind had a reasonable belief” to prepare for a potential lethal-force situation but also stated that drawing the firearm was not a sound decision under the totality of the circumstances.⁶⁴
- Supervisor A further wrote that if lethal force had actually been used, it would not have fit what a similarly situated reasonable officer would have done under the circumstances.⁶⁵
- On demeanor, Supervisor A concluded that Officer A appeared frustrated and in a heightened emotional state, but Supervisor A is careful to look for completely inappropriate behavior i.e. cursing at a suspect while angry or yelling at individuals and acting out of control emotionally being disrespectful.⁶⁶
- While it was apparent that Officer A appeared frustrated with traffic and was in a heightened emotional state, Supervisor A felt training would be appropriate for definite improvements that should be made going forward.⁶⁷
- Supervisor A identified training needs in both tactics and communication. Recommended training included:
 - Appropriate tactical responses to similar incidents.⁶⁸
 - Communication, de-escalation, and traffic-mitigation options.⁶⁹
- Supervisor A provided mitigating factors for Officer A such as recent training with the Dialogue Team and TAC team which will help improve tactical decision making and improved communication.⁷⁰

Supervisor B Review⁷¹

Supervisor B wrote a review on the investigation and arrived at their suggested finding of “Not Sustained” for both allegations of Excessive Force and Demeanor. Supervisor B also identified training needs. Supervisor B noted the following elements to arrive at their suggested findings:⁷²

- Supervisor B analyzed the act of drawing the firearm to low ready as a form of compulsory conduct that fit more closely within physical force/reportable force under SPD Policy 301.⁷³
- Supervisor B acknowledged that Officer A articulated a concern about an imminent threat of bodily injury to [them] or others but provided emphasis on whether the physical force was reasonable and proportional considering the legal purpose for stopping the car.⁷⁴
 - The purpose for drawing a firearm is to ready the ability to use that firearm.

⁶⁴ *Id.* at 2.

⁶⁵ *Id.* at 2.

⁶⁶ *Id.* at 3.

⁶⁷ *Id.* at 3.

⁶⁸ *Id.* at 2.

⁶⁹ *Id.* at 3.

⁷⁰ *Id.* at 3.

⁷¹ Supervisor B’s Supervisor Review for C25-065 (Dec 19, 2025).

⁷² These elements are not all-inclusive nor direct quotes. For full context, refer to Supervisor A’s Supervisor Review for C25-065.

⁷³ Supervisor B’s Supervisor Review for C25-065 at 1 (Dec 19, 2025).

⁷⁴ *Id.* at 2.

- When Officer A was hypothetically asked what they would have done had the Community Member drove past the vehicle blockade, Officer A stated they would have used lethal force.
- The legal purpose of the roadblock and the lack of significant objective threat factors was concerning.
- Officer A relied upon the “imminent threat” the community member created to draw their firearm and not necessarily the low-level crimes the Community Member would be violating if they drove past the roadblock.⁷⁵
- Supervisor B emphasized several additional concerns:⁷⁶
 - The underlying offenses, if the Community Member had merely driven past the roadblock, were relatively low-level.
 - The Community Member’s vehicle advanced slowly and only about a car length.
 - There are no objective threat factors present that would indicate the Community Member’s intent to aggressively drive over Officer A or firefighters or around the roadblock.
 - Officer A later positioned [themselves] in front of the Community Member’s vehicle again after re-holstering.
- Supervisor B described the firearm draw as a poor tactic, counter to de-escalation, and one that contributed to the Community Member filing the complaint.⁷⁷
- Supervisor B recommended training on SPD’s use-of-force policy and the importance of using force only when reasonable and necessary.
- On demeanor, Supervisor B concluded that Officer A’s verbal treatment of the Community Member was not ideal but did not clearly violate SPD Policy 340.3.2.K.⁷⁸
- Officer A does not use obscene language towards the Community Member, nor did Officer A verbally threaten them.⁷⁹
- Supervisor B pointed out that Officer A had a lawful purpose for setting the roadblock, but employing de-escalation communication tactics would have resulted in a better outcome.⁸⁰
- Supervisor B recommended additional de-escalation communication training.⁸¹

Supervisor C Review

Supervisor C was the final reviewer and made the final determination on January 02, 2026.⁸² Supervisor C provides findings for Excessive Force, Demeanor, and De-escalation Tactics after consulting with Supervisor D and Supervisor E.

⁷⁵ *Id.* at 2.

⁷⁶ *Id.* at 2.

⁷⁷ *Id.* at 2.

⁷⁸ *Id.* at 3.

⁷⁹ *Id.* at 3.

⁸⁰ *Id.* at 3.

⁸¹ *Id.* at 3.

⁸² Under the agreement between the City, the Police Guild, and the Lieutenants and Captains Association in the current CBAs, the OPO is prohibited from mentioning whether the officer(s) acted properly, whether the officer’s

Recommendations

Per the Collective Bargaining Agreements, the policy recommendations that follow reflect the OPO's opinion on modifications that may assist the Department in reducing the likelihood of harm in the future; they do not reflect an opinion on individual job performance under the current policy.⁸³

Applicable Policy⁸⁴

At the time of this incident, SPD Policy 301⁸⁵ defined Intentional Pointing of a Firearm only when an officer was intentionally "pointed in" at a subject, while Physical Force was defined as an act exerted on a person's body to compel, control, constrain, or restrain movement. Policy 301 also distinguished between Reportable Force, which must be documented, and Reviewable Force, which requires a BlueTeam Use of Force Report and supervisory review. Policy 301.11⁸⁶ required supervisory notification for specified categories such as intentional pointing of a firearm, firearm discharge, Conducted Energy Weapon use (Taser), OC/CS exposure, Level 2 strikes, canine deployment, allegations of those acts, and any action resulting in apparent injury or unconsciousness or a complaint injury.

Policy 301.2⁸⁷ also used the defined term "Immediate threat of serious physical injury or death," which required that, under the totality of the circumstances, it be objectively reasonable to believe a person had the present and apparent ability, opportunity, and intent to immediately cause death or serious bodily injury. This is directly in line with Washington State law.⁸⁸ The policy did not separately define "imminent threat," even though Policy 301.5⁸⁹ authorized physical force to protect against an imminent threat of bodily injury.

Policy 300⁹⁰ addresses de-escalation as a standalone topic, while Policy 301 governs force, yet RCW 10.120.020(3)⁹¹ requires officers to use reasonable care when determining whether to use

actions were acceptable, or whether or not the officer's actions were in compliance with training or policy. As such, the final determination by the chain of command cannot be mentioned.

⁸³The City of Spokane and Spokane Police Guild CBA 2023-2026, p. 65 states that prior to making any policy recommendations, the closing report will include the current practice, policy, and/or training as applicable and shall expressly state that the policy recommendations that follow reflect the OPO's opinion on modifications that may assist the Department in reducing the likelihood of harm in the future; they do not reflect an opinion on individual job performance under the current policy, practice, or training.

⁸⁴ Due to the length of these SPD policies, they are not attached to this report. For this report, we utilized the Spokane Police Department Policy Manual issued March 13, 2025, which was in place at the time of the incident. The current SPD policy manual is available at <https://static.spokanecity.org/documents/police/accountability/police-policy-manual-2026-01-28.pdf>.

⁸⁵ Use of Force.

⁸⁶ Notification to Supervisors.

⁸⁷ Definitions.

⁸⁸ RCW 10.120.020(2). See <https://app.leg.wa.gov/RCW/default.aspx?cite=10.120.020>.

⁸⁹ When Physical Force is Authorized.

⁹⁰ De-Escalation Tactics.

⁹¹ See <https://app.leg.wa.gov/RCW/default.aspx?cite=10.120.020>

physical force or deadly force, to use all available and appropriate de-escalation tactics when possible before physical force, and to use the least amount of force necessary.

Use of a Firearm to Compel Compliance

Currently, policy 301 defines Intentional Pointing of a Firearm⁹² only when an officer is pointed in at a subject, and it separately defines Physical Force⁹³ as an act exerted on a person's body to compel or restrain movement. The manual does not clearly say where a firearm draw to low ready fits when it is used to compel compliance. That ambiguity mattered here. Supervisor B specifically concluded that Officer A's draw to low ready functioned as a compulsory action and therefore should be treated as physical force/reportable force but also noted that SPD policy did not clearly classify it as reviewable force.⁹⁴ Supervisor C similarly noted that the draw was not considered a reviewable use of force even though it had "huge ramifications."⁹⁵

Policy 301.11 sets the parameters for supervisory notification in use of force incidents. It does not expressly require use of force reporting when an officer draws a firearm to low ready or otherwise displays it to gain compliance. However, in this case, Officer A did report it in a supplemental case report.⁹⁶ While a supervisor reviewed the report it is unclear if a supervisor was notified. Officer C was on scene and interacted with the Community Member, and was the ranking officer on scene, but there is no documentation or BWC of that interaction and if they were acting as a supervisor on scene.

A definition could be added to Policy 301.2⁹⁷, or a subsection in 301.10⁹⁸ or 301.11⁹⁹, stating that drawing or displaying a firearm in a manner intended to compel compliance, but without intentional pointing in, is a reportable force event, and such conduct requires documentation and supervisory review even if no injury occurs. That would close the classification gap exposed by this case. During the review of this case by the OPO, a senior officer stated to the Police Ombuds that officers can pull their guns whenever they want. That ambiguity should be clarified in policy.

⁹² Policy 301.2.I.

⁹³ Policy 301.2.M.

⁹⁴ Supervisor B's Supervisor Review for C25-065 at 1 (Dec 19, 2025).

⁹⁵ Supervisor C's BlueTeam Comments for C25-065 (Jan 02, 2026).

⁹⁶ Officer A's Field Case Report, case 2025-20137208 at 2 (July 08, 2025).

⁹⁷ Definitions.

⁹⁸ Use of Force Reporting.

⁹⁹ Notification to Supervisors.

Recommendation 26-05: SPD should amend Policy 301 to clarify that drawing or displaying a firearm to compel compliance, even without intentional pointing, is a reportable force event requiring documentation and supervisory notification.

Immediate Threat

Policy 301.2.H¹⁰⁰ defines immediate threat as: “Based on the totality of the circumstances, it is objectively reasonable to believe that a person has the present and apparent ability, opportunity, and intent to immediately cause death or serious bodily injury to the peace officer or another person.” SPD does not provide a separate definition of imminent threat in Policy 301. Instead, the policy uses that phrase in operative sections, including Policy 301.5,¹⁰¹ which authorizes physical force to protect against “an imminent threat of bodily injury” to the officer, another person, or the person against whom force is used. While the terms are often used interchangeably, there is a subtle difference between the two terms as imminent refers to danger that is about to occur and immediate means the threat is happening right now. Washington State makes this distinction. RCW 10.120.020(2)¹⁰² requires an immediate threat for the police to utilize deadly force.

The record reflects a meaningful gap between the kind of danger Officer A described and the kind of threat that policy should recognize as immediate or imminent for purposes of escalating to firearm display and potential deadly-force readiness. Officer A viewed the possibility of the Community Member reaching firefighters approximately 40 yards away as an immediate lethal force problem even though the scene also involved distance, intervening space, and patrol-car positioning, between Officer A and the firefighters. Supervisor B also emphasized the limited objective threat indicators visible in the incident and concluded the circumstances did not clearly show an aggressive attempt to drive over Officer A or firefighters.

Officer D’s memo¹⁰³ focuses on the tactical consequences of using a firearm in this setting. Officer D wrote that drawing a handgun in this circumstance was tactically unsound and opined that it would be better for an officer to have hands free to flee from a vehicle failing to stop at a roadblock. Washington State emphasizes necessity, proportionality, and reasonable care in RCW 10.120.020 which allows deadly force only when necessary to protect against an immediate threat of serious physical injury or death. The AGO model¹⁰⁴ policy also ties proportionality to both the immediacy/severity of the threat and the seriousness of the law enforcement objective.

¹⁰⁰ Immediate threat of serious physical injury or death.

¹⁰¹ When Physical Force is Authorized.

¹⁰² See <https://app.leg.wa.gov/RCW/default.aspx?cite=10.120.020>.

¹⁰³ Memo from Officer D re: Opinion on Actions of SPO [Officer A] during 2025-20137208 (October 09, 2025).

¹⁰⁴ See Washington AGO, Model Use of Force Policy PDF, p. 10. https://agportal-s3bucket.s3.amazonaws.com/uploadedfiles/Another/UOF%20Model%20Policies_070122_FINAL_0.pdf

Possible downstream danger should be clearly distinguishable from an immediate threat of serious physical injury or death. A related problem is that once the firearm becomes the tool selected, the encounter is functionally framed around deadly force readiness, even though the facts may not yet satisfy an immediate-threat analysis. That concern appears throughout the reviews in this case. Supervisor A focused on Officer A's statement that they potentially would have used lethal force if the Community Member drove through the blockade.¹⁰⁵ Supervisor B described the low-ready draw as a poor tactic and counter to de-escalation.¹⁰⁶ Supervisor C wrote that the draw was not the most tactically sound choice and that better de-escalation, like Officer B's intervention, may have eliminated the need to draw at all.¹⁰⁷

Recommendation 26-06: SPD should revise Policy 301 to clarify that an immediate threat requires present ability, immediate opportunity, and intent to cause serious physical injury or death, not a possible future danger separated by distance, obstacles, or time for reassessment.

Reportable and Reviewable Force Gap

SPD's policy creates a purposeful gap between reportable force and reviewable force and this case appears to have fallen into that gap. Under Policy 301, Reportable Force¹⁰⁸ is defined broadly: all use of physical force shall be thoroughly documented in a report. By contrast, Reviewable Force¹⁰⁹ is a narrower category: a use-of-force incident that requires a BlueTeam Use of Force Report. Policy 301.11¹¹⁰ then lists the circumstances that trigger supervisory notification and the process for chain-of-command review.

Policy 302¹¹¹ says the Use of Force Review Board (UOFRB) is designated to review applications of non-deadly force after a use-of-force incident receives a final determination. The board review mechanism depends on the incident first being routed as a qualifying force incident through the BlueTeam review path. As exemplified in this case, the current policy structure appears to permit a category of incidents that are serious enough to matter but not categorized enough to be formally learned from. If an act is reportable because it is force used to compel compliance, but not reviewable, it may never reach the UOFRB even if the event exposes policy ambiguity, poor tactics, de-escalation failures, or escalation risks.

Supervisor B's review is important because it explicitly analyzed the low-ready firearm draw as a form of physical force/reportable force used to compel compliance, but not as deadly force and

¹⁰⁵ Supervisor A's Supervisor Review for C25-065 at 1 (Dec 18, 2025).

¹⁰⁶ Supervisor B's Supervisor Review for C25-065 at 2 (Dec 19, 2025).

¹⁰⁷ Supervisor C's BlueTeam Comments for C25-065 (Jan 02, 2026).

¹⁰⁸ Policy 301.2.M(3).

¹⁰⁹ Policy 301.2.M(4).

¹¹⁰ Notification to Supervisors.

¹¹¹ Use of Force and Deadly Force Administrative Review.

not as a clearly reviewable force category under the current policy structure.¹¹² Supervisor C then stated even more plainly that “the drawing of the firearm itself would not be considered a reviewable use of force,” even though they recognized that it could have “huge ramifications.”¹¹³

This case was handled as an Internal Affairs citizen complaint and went through OPO and chain-of-command review, and received chain of command findings on excessive force, demeanor, and de-escalation. The Blue Team report shows that route in detail, but this case was never reviewed by the UOFRB. This incident involving conduct serious enough to generate an IA complaint, OPO review, chain-of-command findings, and recommended training, yet not serious enough under current classification rules to trigger UOFRB review even though there are significant tactical concerns by multiple supervisors.

Recommendation 26-07: SPD should revise Policies 301 and 302 to reduce the gap between reportable force and reviewable force. An incident should not remain solely reportable if it presents significant tactical, de-escalation, or escalation concerns. SPD should require those incidents to be routed for supervisory BlueTeam review and, when appropriate, forwarded to the Use of Force Review Board.

De-escalation and Use of Force

A decision whether to use force and a decision whether to de-escalate are part of the same tactical judgment. Washington law already makes de-escalation and reasonable care part of the legal analysis governing force, not a separate or optional consideration. Under RCW 10.120.020(3),¹¹⁴ a peace officer “shall use reasonable care when determining whether to use physical force or deadly force,” and, “[w]hen possible,” shall use “all de-escalation tactics that are available and appropriate under the circumstances before using physical force.”¹¹⁵

Washington law also defines de-escalation tactics as actions intended to minimize the likelihood that force will be needed, including using clear instructions and verbal persuasion, attempting to slow down or stabilize the situation so that more time, options, and resources are available, creating physical distance by employing tactical repositioning to maintain the benefit of time, distance, and cover, and, when multiple officers are present, designating one officer to communicate in order to avoid competing commands.¹¹⁶ The RCW further defines necessary to mean that, under the totality of the circumstances, no reasonably effective alternative appears to

¹¹² Supervisor B’s Supervisor Review for C25-065 at 2 (Dec 19, 2025).

¹¹³ Supervisor C’s BlueTeam Comments for C25-065 (Jan 02, 2026).

¹¹⁴ See <https://app.leg.wa.gov/RCW/default.aspx?cite=10.120.020>.

¹¹⁵ RCW 10.120.020(3)(a).

¹¹⁶ RCW 10.120.010(2). See <https://app.leg.wa.gov/RCW/default.aspx?cite=10.120.010>.

exist and that the force used is a reasonable and proportional response to the legal purpose or threat involved.¹¹⁷

That statutory language fits this case directly. Supervisor C wrote that if Officer A had recognized the need to use de-escalation tactics as Officer B did, there may not have been a need to draw the firearm at all.¹¹⁸ Supervisor B's review reinforces that point. They concluded that drawing the firearm to low ready functioned as a compulsory act¹¹⁹ and therefore as physical force/reportable force, but also wrote that the tactic was poor, counter to de-escalation, and escalated the encounter.¹²⁰

If Policy 300¹²¹ is treated as a standalone policy and Policy 301¹²² is treated as the true force policy, reviewers may end up asking first whether force technically fits a definition, and only later asking whether the officer used time, distance, cover, tactical repositioning, single-officer communication, or other de-escalation tools before escalating. However, Washington law and SPD's own policy language already make clear that those questions should come first, not second. Policy 301.4¹²³ says officers must use reasonable care,¹²⁴ use all available and appropriate de-escalation tactics when possible before physical force,¹²⁵ and use the least amount of force necessary.¹²⁶ That means de-escalation is not merely a best practice running alongside force policy; it is one of the core legal and policy conditions that determines whether force is necessary and reasonable in the first place.

Recommendation 26-08: SPD should combine the requirements of Policy 300 into Policy 301 because de-escalation is not collateral to the use-of-force analysis; it is central to the determination of whether force is necessary and reasonable.

¹¹⁷ RCW 10.120.010(5).

¹¹⁸ Supervisor C's BlueTeam Comments for C25-065 (Jan 02, 2026).

¹¹⁹ Supervisor B's Supervisor Review for C25-065 at 1 (Dec 19, 2025).

¹²⁰ *Id.* at 2.

¹²¹ De-Escalation Tactics.

¹²² Use of Force.

¹²³ The Decision to Use Force.

¹²⁴ Policy 301.4.II.

¹²⁵ *Id.*

¹²⁶ *Id.*

Summary of Recommendations

1. **Recommendation 26-05**: SPD should amend Policy 301 to clarify that drawing or displaying a firearm to compel compliance, even without intentional pointing, is a reportable force event requiring documentation and supervisory notification.
2. **Recommendation 26-06**: SPD should revise Policy 301 to clarify that an immediate threat requires present ability, immediate opportunity, and intent to cause serious physical injury or death, not a possible future danger separated by distance, obstacles, or time for reassessment.
3. **Recommendation 26-07**: SPD should revise Policies 301 and 302 to reduce the gap between reportable force and reviewable force. An incident should not remain solely reportable if it presents significant tactical, de-escalation, or escalation concerns. SPD should require those incidents to be routed for supervisory BlueTeam review and, when appropriate, forwarded to the Use of Force Review Board.
4. **Recommendation 26-08**: SPD should combine the requirements of Policy 300 into Policy 301 because de-escalation is not collateral to the use-of-force analysis; it is central to the determination of whether force is necessary and reasonable.