



# Office of Police Ombudsman 2012 Mid-Year Report

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*Reporting Period: January 1 – June 30, 2012*

The Office of Police Ombudsman's mid-year report provides information about Spokane Police Department misconduct complaints. The report presents data on the number and classification of complaints filed with a comparison to the previous year.

## PERSPECTIVE

In the first six months of 2012, Officers from the Spokane Police Department made a minimum of **64,103 contacts** with individuals in the community. These contacts resulted in:

- 2,106 Arrests;
- 1,229 Warrants Being Served;
- 6,371 Citations Being Issued.

These numbers are intended to provide a perspective on the number of public contacts made by members of the Spokane Police Department during the reporting period. These numbers **are not intended** to minimize the significance of complaints made against Officers and received by the Office of Police Ombudsman or the Spokane Police Department's Internal Affairs Unit.

## OMBUDSMAN FINDINGS

In the first six months of 2012, pursuant to Spokane Municipal Code Section 04.32.030, the Office of Police Ombudsman certified 29 Internal Affairs Unit investigations as timely, thorough and objective.

This total includes 10 investigations that were initiated in 2011 and closed in 2012.

**There was one declined certification issued in the first six months of 2012.**

**There was one appeal for additional investigation or reclassification in the first six months of 2012.**

*PRIOR YEAR COMPARISON: From January 1, 2011 to June 30, 2011, the Office of Police Ombudsman had certified 23 Internal Affairs Unit investigations as timely, thorough and objective.*

## INTERNAL AFFAIRS INVESTIGATIONS

In the first six months of 2012, the Spokane Police Department Internal Affairs Unit received 104 complaints. Pursuant to Spokane Municipal Code Section 4.32.030 (E), 58 of those complaints were classified by Police Chief Stephens as Investigative Inquiries. The remaining 46 were classified as formal complaints and were investigated, mediated or are in the process of being investigated.

*PRIOR YEAR COMPARISON: From January 1, 2011 to June 30, 2011, 62 complaints had been received by the Spokane Police Department Internal Affairs Unit. Of these complaints, 27 were classified as Investigative Inquiries and the remaining 35 were classified as formal complaints and were investigated or mediated.*

#### INTERNAL COMPLAINTS

In the first six months of 2012, three of the 46 complaints assigned for formal investigation were internally generated.

**One internally generated complaint included two allegations; one allegation was determined to be Unfounded and the other allegation was Sustained.**

**Two internally generated complaint investigations remained open as of June 30, 2012.**

*PRIOR YEAR COMPARISON: From January 1, 2011 to June 30, 2011, six of the 35 complaints assigned for formal investigation were internally generated.*

#### CITIZEN COMPLAINTS (including OMBUDSMAN RECEIVED COMPLAINTS)

Forty-three of the 46 complaints assigned for formal investigation in the first six months of 2012 were generated by **citizens**. Twenty of the 43 citizen generated complaints (46.5%) originated through the Office of Police Ombudsman.

The 43 citizen complaint investigations initiated during the first six months of 2012 involved 60 employees of various ranks. These ranks are: 37 Officers, 10 Sergeants, five Detectives, three Civilians, one Captain, one Corporal, one Lieutenant and two employees that could not be identified by the complainant. Eleven Officers were the subject of two citizen complaint investigations during the first six months of 2012.

*PRIOR YEAR COMPARISON: From January 1, 2011 to June 30, 2011, 29 investigations were initiated in response to citizen complaints. Sixteen of those complaints, approximately 55%, originated through the Office of Police Ombudsman. The 29 citizen complaint investigations involved 31 employees of various ranks.*

#### Citizen Complaint Resolution

In the first six months of 2012, the 43 citizen complaints assigned for formal investigations resulted in the following findings:

- 3 complaints were Administratively Suspended
- 14 complaints were Exonerated
- 3 complaints were resolved through Mediation
- 1 complaint was Not Sustained
- 5 complaints were Unfounded
- 1 complaint (containing multiple allegations) was determined to have one allegation that was Exonerated and one allegation that was Unfounded.

Sixteen citizen complaint investigations remained open as of June 30, 2012.

### **Ombudsman-Received Complaints**

During the first six months of 2012, the Office of Police Ombudsman was contacted 459 times for a variety of reasons. In addition to the 459 contacts, 73 complaints were forwarded to the Internal Affairs Unit for classification and assignment. 53 of those complaints were classified as Investigative Inquiries and 20 complaints were sent forward for formal investigation.

*PRIOR YEAR COMPARSION: From January 1, 2011 to June 30, 2011, the Office of Police Ombudsman was contacted 226 times. In addition to the 226 contacts, 34 complaints were forwarded to the Internal Affairs Unit for classification and assignment.*

The 20 Ombudsman-received complaints assigned for formal investigation resulted in the following 29 misconduct allegations:

- Inadequate Response (9)
- Demeanor (5)
- Unlawful Detention (3)
- Excessive Force (3)
- Harassment (2)
- Biased Based Policing (2)
- Unlawful Search (2)
- Unlawful Arrest (1)
- Speeding (1)
- Failure to Identify (1)

*PRIOR YEAR COMPARSION: From January 1, 2011 to June 30, 2011, the Office of Police Ombudsman received 13 complaints assigned for formal investigation resulting in 24 misconduct allegations.*

### **CRITICAL INCIDENTS**

In the first six months of 2012, Spokane Police Officers were involved in one critical incident requiring the use of Deadly Force. No complaints were received as a result of this incident.

- On Sunday, June 17, 2012, at approximately 4:34a.m., the Ombudsman was contacted by Sergeant McCabe of the Internal Affairs Unit and advised that an individual had been shot by an Officer. The Officer had responded to a man with a gun call on Mission Street in Spokane, WA. The Ombudsman responded to the location for a briefing of the incident and viewing of the scene.

### **OTHER STATISTICS OF INTEREST**

#### **EXCESSIVE FORCE COMPLAINTS**

In the first six months 2012, 10 complaints involving allegations of Excessive Force were received involving 12 different Officers. Five Excessive Force investigations remained open as of June 30, 2012.

**None of the Excessive Force investigations completed in the first six months of 2012 were Sustained.**

*PRIOR YEAR COMPARISON: From January 1, 2011 to June 30, 2011, seven complaints involving allegations of Excessive Force were received involving 11 different Officers. None of the Excessive Force investigations completed in the first six months of 2011 were Sustained.*

## DISCIPLINE

The 28 internal and citizen complaint investigations closed between January 1, 2012 and June 30, 2012 (18 investigations remained open as of June 30, 2012) resulted in one member of the Spokane Police Department receiving some level of discipline. The sanction imposed by the Chief of Police was a Letter of Reprimand delivered in response to an allegation of Racial Bias.

*PRIOR YEAR COMPARISON: From January 1, 2011 to June 30, 2011, 25 formal complaint investigations were closed and resulted in four members of the Spokane Police Department receiving some level of discipline.*

## TASER USE

In the first six months of 2012, Spokane Police Officers used the taser 25 times in 21 incidents in the performance of their duties. In each instance, the use of the taser was determined to be necessary, appropriate and used within the scope of Department policies, procedures and training.

**The Office of Police Ombudsman and the Spokane Police Department's Internal Affairs Unit did not receive any complaints regarding the use of the taser in the first six months of 2012.**

*PRIOR YEAR COMPARISON: From January 1, 2011 to June 30, 2011, Spokane Police Officers used the taser 13 times in 10 incidents in the performance of their duties.*

## SPECIAL WEAPONS AND TACTICS (SWAT) CALL OUTS

In the first six months of 2012, there were 21 call outs of the Special Weapons and Tactics (SWAT) Team. No complaints were received by the Office of Police Ombudsman or the Spokane Police Department Internal Affairs Unit related to SWAT deployments.

*PRIOR YEAR COMPARISON: From January 1, 2011 to June 30, 2011, there were 22 call outs of the SWAT Team.*

## DOMESTIC VIOLENCE

In the first six months of 2012, Spokane Police Officers responded to 3,273 Domestic Violence calls.

**No data is available regarding complaints received in response to Domestic Violence calls.**

*PRIOR YEAR COMPARISON: From January 1, 2011 to June 30, 2011, Spokane Police Officers responded to 3,151 Domestic Violence calls.*

## VEHICLE PURSUITS

In the first six months of 2012, members of Spokane Police Department were involved in 27 vehicle pursuits. The results/consequences of the pursuits were:

- 13 suspects were apprehended
- 12 pursuits were terminated
- 2 suspects escaped

*PRIOR YEAR COMPARISON: From January 1, 2011 to June 30, 2011, members of the Spokane Police Department were involved in 21 vehicle pursuits.*

## VEHICLE ACCIDENTS

In the first six months of 2012, 26 members of the Spokane Police Department were involved in 29 collisions. Investigation of the collisions revealed that:

- 8 collisions were determined to have been Preventable
- 11 collisions were Not Preventable
- 9 collisions were through Legal Intervention
- 1 collision involved Property Damage

As a result of preventable vehicle accidents, three employees received an oral reprimand or counseling, two employees received shift level counseling, two employees received a written reprimand and one employee was suspended.

**No complaints were received by the Office of Police Ombudsman in response to a Non-Preventable vehicle collision.**

*PRIOR YEAR COMPARISON: From January 1, 2011 to June 30, 2011, 26 members of the Spokane Police Department were involved in 29 collisions.*

## MENTAL HEALTH RESPONSE

In the 2009 Annual Report presented to the Spokane City Council on April 12, 2010, the Office of Police Ombudsman recommended to the Office of the Chief of Police that the Spokane Police Department document the number of Police encounters with individuals who displayed symptoms of “excited delirium” and report the number to the Public Safety Committee on an annual basis. The purpose of this recommendation was to quantify the actual number of encounters and review how the situations were resolved to assess future training needs.

In the first six months of 2012, Spokane Police Officers responded to 644 incidents involving citizens with mental illness or disability. Of those incidents:

- 395 contacts required no enforcement action,
- 207 contacts resulted in the citizen being transported to a medical or mental health facility,
- 38 contacts resulted in the citizen being arrested and incarcerated in a Spokane County jail facility and
- 4 individuals contacted exhibited symptoms of “Excited Delirium.”

*PRIOR YEAR COMPARISON: From January 1, 2011 to June 30, 2011, Spokane Police Officers responded to 289 incidents involving citizens with mental illness or disability. The increase in mental health contacts in the first six months of 2012 can be attributed to a Mental Health Training that all Officers completed in March and April 2012.*

## CITIZEN RIDE ALONGS

In the first six months of 2012, the Spokane Police Department hosted 173 ride alongs; 91 of these were citizen riders, 54 co-op college student riders and 28 explorer teenage riders.