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## Office of Police Ombudsman 2013 Mid-Year Report

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*Reporting Period: January 1 – June 30, 2013*

The Office of Police Ombudsman's mid-year report provides information about Spokane Police Department misconduct complaints. The report presents information on the number and classification of complaints filed. **Figures from January 1 through June 30, 2012 are added in red for comparison.**

### PERSPECTIVE

In the first six months of 2013, officers from the Spokane Police Department made a minimum of **66,150 contacts** with individuals in the community **(64,103)**. These contacts resulted in:

- 2,033 Arrests **(2,106)**
- 1,735 Warrants Being Served **(1,229)**
- 5,978 Citations Being Issued **(6,371)**

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 2013, 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 **(29)**.

This total includes 13 investigations that were initiated in 2012 and closed in 2013.

There was one declined certification issued in the first six months of 2013.

### INTERNAL AFFAIRS INVESTIGATIONS

In the first six months of 2013, the Spokane Police Department Internal Affairs Unit received 142 complaints **(121)**. Pursuant to Spokane Municipal Code Section 4.32.030 (E), 54 of those complaints were classified by Police Lieutenant Alan Arnzen as Investigative Inquiries **(58)**. 13 of those complaints were classified as Citizen Inquiries **(17)**. The remaining 75 were classified as formal complaints and were investigated, mediated or are in the process of being investigated **(46)**.

### INTERNAL COMPLAINTS

In the first six months of 2013, 15 of the 75 complaints assigned for formal investigation were internally generated (3 of 46).

One internally generated complaint was administratively suspended and two complaints were sustained. Twelve internally generated complaint investigations remain open as of June 30, 2013.

### CITIZEN COMPLAINTS (including OMBUDSMAN RECEIVED COMPLAINTS)

Sixty of the 75 complaints assigned for formal investigation in the first six months of 2013 were generated by **citizens** (43). Twenty-three of the 60 citizen generated complaints or 38% originated through the Office of Police Ombudsman (46.5%).

The 60 citizen complaint investigations initiated during the first six months of 2013 involved 85 employees of various ranks (60). These ranks are: 56 officers, ten sergeants, six lieutenants, five detectives, five corporals, one captain, one reserve officer and one citizen employee. Eight officers were the subject of two citizen complaint investigations during the first six months of 2013.

### CITIZEN COMPLAINT RESOLUTION

In the first six months of 2013, the 60 citizen complaints assigned for formal investigations resulted in the following findings:

- 8 complaints were Administratively Suspended
- 4 complaints were Exonerated
- 3 complaints were Unfounded
- 1 complaint was Not Sustained
- 1 complaint was changed to an Investigative Inquiry
- 2 complaints were Sustained
- 1 complaint (containing multiple allegations) was determined to have one allegation that was Exonerated and one allegation that was Sustained

Forty citizen complaint investigations remain open as of June 30, 2013. In 2013 the assigned Internal Affairs Unit staff was promoted and reassigned which created some temporary transitional delays.

### OMBUDSMAN-RECEIVED COMPLAINTS

During the first six months of 2013, the Office of Police Ombudsman was contacted 588 times for a variety of reasons (459). In addition to the 588 contacts, 68 complaints were forwarded to the Internal Affairs Unit for classification and assignment (73). 44 of those complaints were classified as Investigative Inquiries (53), 23 complaints were sent forward for formal investigation (20) and one complaint was referred to the Spokane County Sheriff's Office.

The 24 Ombudsman-received complaints assigned for formal investigation resulted in the following 58 misconduct allegations:

- Demeanor (19)
- Inadequate Response (11)
- Excessive Force (13)
- Refuse to Provide Name (3)
- Failure to Identify (2)
- Failure to Supervise (2)
- Planting Evidence (2)
- Conflict of Interest (1)
- Failure to Take Complaint (1)
- Improper Driving (1)
- Improper Response (1)
- Improper Search (1)
- Unsafe Driving Practices (1)

### CRITICAL INCIDENTS

In the first six months of 2013, Spokane police officers were involved in two critical incidents requiring the use of Deadly Force (1). No complaints were received as a result of these incidents.

- On Tuesday, February 5, 2013, at approximately 1:49a.m., the Ombudsman was advised by Internal Affairs Lieutenant McCabe of an officer involved shooting near the Huckleberry's Natural Market at 926 S. Monroe in Spokane, WA. The Lieutenant and Ombudsman responded to the location where they were briefed on the incident and toured the area. While at the location they were advised that the individual that was involved was deceased. No officers were physically injured.
- On Thursday, May 16, 2013 at 3:21a.m., the Ombudsman was advised by Internal Affairs Sergeant Singley that an officer involved shooting/death had occurred at 22007 N. Charles in Nine Mile Falls, WA. Sergeant Singley transported the Ombudsman to the location for a briefing and scene familiarization. Sergeant Singley, Lieutenant Arnzen and the Ombudsman returned to the location at 1:00p.m. for a more comprehensive briefing and tour of the scene.

### OTHER STATISTICS OF INTEREST

#### EXCESSIVE FORCE COMPLAINTS

In the first six months 2013, 8 complaints involving allegations of Excessive Force were received involving 13 different officers (10 complaints involving 12 officers). Five Excessive Force investigations remain open as of June 30, 2013. Of the three Excessive Force investigations completed in the first six months of 2013, none were Sustained.

#### DISCIPLINE

The 22 internal and citizen complaint investigations closed between January 1, 2013 and June 30, 2013 (53 investigations remain open as of June 30, 2013) resulted in four members of the Spokane Police Department receiving some level of discipline (28 complaints resulting in one employee being disciplined). The sanctions imposed by the Chief of Police were oral counseling, a written reprimand, a written reprimand and additional training and a suspension.

### TASER USE

In the first six months of 2013, Spokane Police Officers used the taser 14 times in 11 incidents in the performance of their duties (25 times in 21 incidents). 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 2013.

### SPECIAL WEAPONS AND TACTICS (SWAT) CALL OUTS

In the first six months of 2013, there were 29 call outs of the Special Weapons and Tactics (SWAT) Team (21). No complaints were received by the Office of Police Ombudsman or the Spokane Police Department Internal Affairs Unit related to SWAT deployments.

- 13 drug search warrants
- 4 targeted crimes warrants
- 5 robbery specials
- 3 major crimes warrants
- 1 barricaded subject
- 2 events (Bloomsday and Lilac Parade)
- 1 assisting Kootenai County

### DOMESTIC VIOLENCE

In the first six months of 2013, Spokane Police Officers responded to 3,147 Domestic Violence calls (3,273).

### VEHICLE PURSUITS

In the first six months of 2013, members of Spokane Police Department were involved in 33 vehicle pursuits (27). The results/consequences of the pursuits were:

- 11 suspects were apprehended (13)
- 20 pursuits were terminated (12)
- 2 suspects escaped (2)

### VEHICLE ACCIDENTS

In the first six months of 2013, 29 members of the Spokane Police Department were involved in 27 collisions (26 members involved in 29 collisions). Investigation of the collisions revealed that:

- 5 collisions were determined to have been Preventable (8)
- 15 collisions were Not Preventable (11)
- 5 collisions were through Legal Intervention (9)
- 1 collision was determined to be both Non Preventable and through Legal Intervention (0)
- 2 collisions involved Property Damage (1)

As a result of preventable vehicle accidents three employees received a verbal counseling, one employee received oral counseling and one employee received a written reprimand. No complaints were received by the Office of Police Ombudsman in response to a Non-Preventable vehicle collision.

## 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 2013, Spokane Police Officers responded to 578 incidents involving citizens with mental illness or disability (644). Of those incidents:

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

## CITIZEN RIDE ALONGS

In the first six months of 2013, the Spokane Police Department hosted 203 ride alongs (173); 92 of these were citizen riders, 74 reserve officers, 26 explorer teenage riders, nine co-op college student riders and two senior volunteers. For more information on how to participate in the ride along program, contact Sergeant Yamada at (509)625-4003.

## NON-RESPONSE CALLS

The Spokane Police Department receives a number of calls from citizens which do not require a police response or where personnel are not available to respond to the call. When this occurs, a Police Department Communications Supervisor will “clear” the call from the list of waiting calls as a “non-response” call. In the first six months of 2013, 5,178 calls were cleared in this manner (3,595). 2,742 of those originated from calls to 9-1-1 and 2,436 originated from calls to Crime Check.

## CONCLUSION

Comparing information from the first six months of 2013 and 2012 revealed some interesting information about the Spokane Police Department. Much of the information from the first six months of 2013 reported on in this document is consistent when compared to the first six months of 2012. Two differences that can be viewed positively between 2012 and 2013 are a decrease in the use of the taser and an increase in internally generated complaints. Two areas of potential concern are an increase in non-response calls and an increase in SWAT activations. If you have any questions or concerns about the information reported in this document, please don’t hesitate to contact the Office of Police Ombudsman for details.

Sincerely,



Melissa Nystrom  
Office of Police Ombudsman Assistant