



Office of Police Ombudsman
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Office of Police Ombudsman 2014 Annual Report

Introduction

The Annual Report is a compilation of the work performed by the Office of Police Ombudsman in 2014. The report contains statistical data related to the Office of Police Ombudsman and the Spokane Police Department's Office of Professional Accountability.

The following information is a chronology of events that occurred in 2014 related to the intended evolution of the Office of Police Ombudsman.

On September 15, 2014, the Office of Police Ombudsman Commission was seated. The representatives include:

- Rachel Dolezal – Commission Chair, 2-year term
- Kevin Berkompas – Commission Vice Chair, 2-year term
- Scott Richter – Representative of District 1, 3-year term
- Deb Conklin – Representative of District 2, 3-year term
- Adrian Dominguez – Representative of District 3, 3-year term

The OPO Commission was entered into the Spokane City Charter by Proposition 1 in February 2013, and is tasked with approving many of duties the Office of Police Ombudsman is tasked with, as well as participating in community outreach.

In November 2014, the Office of Police Ombudsman Commission voted to extend Ombudsman Tim Burns' contract for another three years. On December 12, 2014, Tim Burns announced his planned retirement effective January 5, 2015.

The Annual Report

This report shall be produced on an annual basis. It is intended to provide the residents of Spokane and city officials with statistical analysis documenting the number of complaints made against members of the Spokane Police Department on an annual basis.

Pursuant to Spokane Municipal Code Section 04.32.110 C1, 2, the data shall include the number of complaints received by category, disposition and action taken. The report shall also include the analysis of trends, patterns and recommendations.

The report is also intended to provide the community and its elected representatives with an opportunity to understand and evaluate the performance of the Office of Police Ombudsman.

The Ombudsman is accountable to the Office of Police Ombudsman Commission, Mayor, City Council and most importantly, the people of Spokane. The Office of Police Ombudsman has an obligation to perform in a professional, ethical and service-oriented manner.

Recognizing that no Police Department can operate effectively without the trust of the community it serves, the Spokane City Council approved an ordinance in 2008 which created the Office of Police Ombudsman. The Office was created to increase the public's trust in the Spokane Police Department. The mission of the Office of Police Ombudsman is to provide a professional presence to ensure quality Internal Affairs investigations of law enforcement misconduct complaints and to provide for visible independent oversight to reassure the public.

The Office of Police Ombudsman may recommend policies and procedures for review, audit the complaint resolution process and review and recommend changes in departmental policies to improve the quality of police investigations and practices.

Through these means, the operation and actions of the Spokane Police Department and their officers will become more transparent to the community.

The report is divided into five sections to explain the various functions of the office:

- I. Staff Profiles
- II. The Office of Police Ombudsman
- III. Ordinance Requirements
- IV. Statistical Data for 2014
- V. Recommendations in 2014

I. Staff Profiles

TIM BURNS, POLICE OMBUDSMAN (Retired)

In August 2009, Tim Burns was appointed Spokane's first Police Ombudsman. Tim is an accomplished professional who takes a realistic, no nonsense approach to problem solving and conflict resolution. Tim is a result driven professional with 38 years of experience in law enforcement, code enforcement, teaching, licensed contracting and conflict resolution. Tim has a reputation as a resourceful problem solver.

Tim is responsible for providing independent civilian oversight for the Spokane Police Department in conduct-related matters. Tim works under the direction of the Office of Police Ombudsman and has prescribed authority through the Municipal Code. Tim frequently meets with the Spokane Police Administration, Spokane Police Department's Internal Affairs Unit, special interest organizations, concerned residents and members of the community.

Tim is a member of the National Association for Civilian Oversight of Law Enforcement (NACOLE) and the United States Ombudsman Association (USOA). In 2010, Tim was certified as a mediator through the Fulcrum Institute of Spokane.

ELYSIA SPENCER, ASSISTANT TO OMBUDSMAN (*PREVIOUS*)

REBEKAH HOLLWEDEL, ASSISTANT TO OMBUDSMAN (*CURRENT*)

Rebekah has a Bachelor's degree in sociology from Eastern Washington University and a Master's degree in Criminal Justice from Washington State University.

ANNA VAMVAKIAS, INTERN

Anna is a native Californian but now calls Spokane her home. She graduated from the University of CA at Santa Cruz with a BA in psychology. She has worked with at risk youth and mental health departments in three counties in California and Peirce County, WA. Currently, Anna completed a Master's Degree in Public Administration from Eastern Washington University in 2014.

JARED KARJALAHTI, INTERN

Originally from Lacey, Washington, Jared is currently finalizing his Bachelor's degree in Criminal Justice from Eastern Washington University. He will graduate in 2015.

TIM SZAMBELAN, POLICE OMBUDSMAN ATTORNEY

Tim Szambelan grew up in Chehalis, WA, a small rural town 30 miles south of Olympia, WA. In 1986 he received a Bachelor's Degree from Seattle University in Public Administration. In 1987, Tim moved to Spokane to attend Gonzaga University's School of Law. He graduated from Gonzaga University School of Law in 1990.

Upon graduation from law school, Tim worked at the Spokane law firm of Huppin, Ewing, Anderson and Paul in their Litigation Department. In 1991, Tim accepted a position with the Spokane City Attorney's Office in the Criminal Division as a prosecutor. In 1998, Tim transferred to the Civil Division of the City Attorney's Office and currently represents the Ombudsman Office and other Departments within the City of Spokane.

Tim is licensed to practice law in Washington and Arizona.

II. The Office of Police Ombudsman

MISSION

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

GUIDING PRINCIPLES

The Office of Police Ombudsman will strive to:

- Provide equal, fair and impartial access to the services of the Office of Police Ombudsman without regard to age, race, gender, creed, color, nationality, sexual orientation or socioeconomic standing.
- **Ensure that all individuals will be treated with courtesy, dignity and respect regardless of their attitude or demeanor.**
- Deliver service in a timely, thorough and objective manner.

The Ombudsman believes:

- In the empowerment of all people to solve problems and receive service.
- Individuals must be responsible and accountable for their personal and professional actions and behavior.

CODE OF ETHICS

In 2010, the Office of Police Ombudsman adopted the National Association for Civilian Oversight of Law Enforcement's (NACOLE) Code of Ethics. In 2012, NACOLE confirmed that the Office of Police Ombudsman is in compliance with the NACOLE Code of Ethics, listed below.

Personal Integrity

Demonstrate the highest standards of personal integrity, commitment, truthfulness and fortitude in order to inspire trust among your stakeholders, and to set an example for others. Avoid conflicts of interest. Conduct yourself in a fair and impartial manner and recuses yourself or personnel within your agency when a significant conflict of interest arises. Do not accept gifts, gratuities or favors that could compromise your impartiality and independence.

Independent and Thorough Oversight

Conduct investigations, audits, evaluations and reviews with diligence, an open and questioning mind, integrity, objectivity and fairness, in a timely manner. Rigorously test the accuracy and reliability of information from all sources. Present the facts and findings without regard to personal beliefs or concern for personal, professional, or political consequences.

Transparency and Confidentiality

Conduct oversight activities openly and transparently providing regular reports and analysis of your activities and explanations of your procedures and practices to as wide an audience as possible. Maintain the confidentiality of information that cannot be disclosed and protect the security of confidential records.

Respectful and Unbiased Treatment

Treat all individuals with dignity and respect and without preference or discrimination including but not limited to the following protected classes: age, ethnicity, culture, race, disability, gender, religion, sexual orientation, socioeconomic status or political beliefs.

Outreach and Relationships with Stakeholders

Disseminate information and conduct outreach activity in the Communities that you serve. Pursue open, candid and non-defensive dialog with your stakeholders. Educate and learn from the community.

Agency Self-examination and Commitment to Policy Review

Seek continuous improvement in the effectiveness of your oversight agency, the law enforcement agency it works with and their relations with the Communities they serve. Gauge your effectiveness through evaluation and analysis of your work product. Emphasize policy review aimed at substantive organizational reforms that advance law enforcement accountability and performance.

Professional Excellence

Seek professional development to ensure competence. Acquire the necessary knowledge and understanding of the policies, procedures, and practices of the law enforcement agency you oversee. Keep informed of current legal, professional and social issues that affect the community, the law enforcement agency and your oversight agency.

Primary Obligation to the Community

At all times, place your obligation to the community, duty to uphold the law and to the goals and objectives of your agency above your self-interest.

ENABLING ORDINANCE

As the result of the passage of Proposition 1 in February 2013 the Office of Police Ombudsman has been codified in the Spokane City Charter in Article 16, Sections 129 and 130. The independent investigative authority granted by the passage of proposition 1 remains a topic of discussion. The office continues to perform the duties and responsibilities as defined by Spokane Municipal Code Section 4.32.

DUTIES AND RESPONSIBILITIES

In summation, the responsibilities and duties of the Police Ombudsman are to:

- Respond to critical incidents and act as an observer
- Actively monitor all Spokane Police Department complaints and investigations
- Receive complaints that are alleged to involve employees of the Spokane Police Department
- Interview complainants and witnesses of misconduct allegations upon receipt of a complaint
- Make recommendations to the Office of the Chief of Police to mediate complaints that involve employees of the Spokane Police Department when appropriate
- Mediate complaints when aggrieved parties agree to mediation
- Attend, observe and participate in Spokane Police Department interviews of officers, complainants and witnesses involving complaints received by the Ombudsman
- Attend, observe and participate in Spokane Police Department interviews of officers when the consequences of a misconduct investigation could result in suspension, demotion or termination of an officer
- Certify Internal Affairs investigations that are timely, thorough and objective
- Make statistical observations regarding the disciplinary results of sustained internal investigations
- Recommend policies and procedures for review or implementation
- Audit the complaint resolution process and review and recommend changes in Spokane Police Department policies to improve the quality of police investigations and practices
- Within five business days of case closure of all complaints of a serious matter and all complaints originated by the Office of Police Ombudsman, the Office of Police Ombudsman shall send a closing letter to and/or conduct a closing interview with the complainant to summarize the case findings

III. Ordinance Requirements

When reporting on statistical data, figures from the 2013 Office of Police Ombudsman Annual Report will be added in blue for comparison.

MEDIATION (SMC 04.32.030 (D))

Pursuant to Spokane Municipal Code Section 04.32.030 (D), the Office of Police Ombudsman will have the opportunity to make a recommendation for mediation to the Chief of Police prior to investigation. In the event the Department, the complainant and the officer all agree to mediation, that process will be utilized rather than sending the matter on for investigation.

When the Office of Police Ombudsman authority was increased, the Ombudsman was required to provide the complainant with a copy of subsection (D) and obtain a signed statement from the complainant acknowledging that he or she has read and understands that the complaint will be resolved through the mediation process and the investigation into the complaint will be terminated. Although no longer required, the Ombudsman continues this procedure as a “best practice.”

Assuming the officer participates in good faith during the mediation process, the officer will not be subject to discipline and no disciplinary finding will be entered against the officer. Good faith means that the officer listens to all information presented, considers the issues raised by the complainant and acts and responds appropriately. Agreement with either the complainant or the mediator is not a requirement of good faith. In the event an agreement to mediate is reached and the complainant thereafter refuses to participate, the officer will be considered to have participated in good faith.

In 2014, no complaints were resolved through the mediation process (two in 2013).

ADMINISTRATIVE INTERVIEWS (SMC 04.32.030 (F))

Pursuant to Spokane Municipal Code section 04.32.030 (F), the Internal Affairs Unit will notify the Office of Police Ombudsman of all administrative interviews on all complaints of a serious matter (complaints that could lead to suspension, demotion, or discharge) and all complaints originating in the Office of Police Ombudsman. The Police Ombudsman may attend and observe interviews and will be given the opportunity to ask questions after the completion of questioning by the Department.

In 2014, the Ombudsman independently interviewed 72 complainants and 16 witnesses (73 complainants and 7 witnesses in 2013). The Ombudsman participated with Spokane Police Department Internal Affairs’ staff in the interviewing of 69 officers, 21 complainants and 13 witnesses (176 officers, 11 complainants and 43 witnesses in 2013). The Ombudsman hosted 6 closing interviews with complainants and staff from Internal Affairs (8 in 2013).

CRITICAL INCIDENT RESPONSE (SMC 04.32.040)

Pursuant to Spokane Municipal Code Section 04.32.040, in the event an employee of the Police Department is involved as a principal, victim, witness or custodial officer, where death or serious bodily injury results or where deadly force was used regardless of whether a death or injury resulted, the Police Ombudsman shall be notified immediately and shall act as an observer to any administrative or civil investigation conducted by or on behalf of the Department. The Police Ombudsman and the Chief shall develop the necessary protocols for summoning the Ombudsman to the incident for purposes of firsthand observation and subsequent monitoring of the investigation.

In 2009, a call out procedure was established and implemented by the Office of the Chief of Police to notify the Ombudsman in a timely manner when a critical incident occurs.

WHEN A CRITICAL INCIDENT OCCURS:

When the Critical Incident Protocol is invoked, members from the Spokane Police Department, the Spokane County Sheriff's Office and the Washington State Patrol will respond to the location of the incident. These agencies have entered into a mutual agreement to investigate each other's critical incidents. The Critical Incident Protocol can be reviewed at the Office of Police Ombudsman website (www.spdombudsman.org) in the "Documents and Reports" section.

Immediately after the incident occurs, a criminal investigation begins. Upon completion of the criminal investigation, the case is referred to the Spokane County Prosecutor's Office for review and consideration of any potential criminal violations that may have occurred. The Spokane Police Department's Internal Affairs Unit conducts an administrative investigation immediately after the criminal case is sent to the Prosecutor. Upon completion of the administrative investigation, the case is sent to an Administrative Review Panel (ARP) to review and address questions regarding policy compliance and then to a Deadly Force Review Board (DFRB) to consider issues of tactics, training, investigative follow-up, equipment and any other pertinent issue.

In 2014, the Spokane Police Department was involved in five critical incidents requiring the Ombudsman's notification and response. The incidents involved the use of deadly force by an officer (three incidents in 2013).

- Thursday, January 16, 2014, at 9:25 pm the Ombudsman was notified that an officer involved shooting had occurred at the Truth Ministries at 1912 E. Sprague Ave. in Spokane. The Ombudsman was unable to respond to the scene because the Ombudsman was attending training in Phoenix, Arizona at the time of the incident. On Monday, January 20, 2014, at 3:00 pm the Ombudsman and Internal Affairs Unit Sergeant Staben went to the shooting location and Sergeant Staben briefed the Ombudsman about the incident.
- On Wednesday March 26, 2014, at 8:34 pm IA Lieutenant Lundgren called the Ombudsman and advised of an Officer involved shooting at 1527 W. Grace in Spokane. The incident involved members of the SWAT team and Criminal Intelligence Unit (CIU). As a result of the altercation, the individual died. The Ombudsman was out of town at the time of the incident and did not respond, but was briefed via telephone. A site visit was conducted on April 4, 2014.

- On Wednesday, April 2, 2014 at 12:55 pm, IA Sergeant Staben called the Ombudsman and advised that an Officer had been involved in a pursuit, and that the person chased had ingested drugs and suffered a medical emergency as a result. The Spokane Investigative Regional Response Team (SIRR) was activated to investigate the incident. The Ombudsman was out of town at the time of the incident.
- On Tuesday, April 29, 2014 at 1:54 pm IA Lieutenant Lundgren called the Ombudsman and advised that Officers had been involved in a shooting at the intersection of Jackson and Standard while investigating a homicide in the area. As a result the confrontation, the individual died from injuries sustained in the incident. The SIRR Team was activated to investigate the incident. The Ombudsman responded to the scene with the Lieutenant and received a preliminary briefing and tour of the crime scene.
- Saturday, November 8, 2014, at 8:44 pm notification was received that an officer involved shooting had occurred near the intersection of Montgomery and N. Post Street. The Ombudsman responded and met with Internal Affairs Sergeant Braun and received a preliminary briefing. The incident involved a collision between a police vehicle and a stolen vehicle being driven by a domestic violence suspect.

As a result of the intervention the driver is alleged to have attempted to run over a police officer which led to the officer shooting the suspect. The SIRR Team, led by the Washington State Patrol, was activated to investigate the incident. At 1:30 am the Ombudsman received a second briefing on the incident from the Washington State Patrol.

RELEVANT CASE LAW REGARDING OFFICERS' ACTIONS

When evaluating the performance of an officer, the following case law must be complied with in all instances.

U.S. Supreme Court *Graham v. Connor*, 490 U.S. 386 (1989): The Fourth Amendment "reasonableness" inquiry is whether the officers' actions are "objectively reasonable" in light of the facts and circumstances confronting them, without regard to their underlying intent or motivation. The "reasonableness" of a particular use of force must be judged from the perspective of a reasonable officer on the scene, and its calculus must embody an allowance for the fact that police officers are often forced to make split-second decisions about the amount of force necessary in a particular situation. Pp. 490 U. S. 396-397.

Garrity v. New Jersey, 385 U.S. 493 (1967): The Supreme Court of the United States held that law enforcement officers and other public employees have the right to be free from compulsory self-incrimination. It gave birth to the Garrity warning, which is administered by government employees to officers accused of misconduct in internal and administrative investigations. This warning is issued in a similar manner as the Miranda warning is administered to suspects in criminal investigations.

Cleveland Board of Education v. Loudermill, 470 U.S. 532 (1985): Certain public-sector employees can have a property interest in their employment, per Constitutional Due Process. This property right entails a right to "some kind of hearing" before being terminated -- a right to oral or written notice of charges against them, an explanation of the employer's evidence, and an opportunity to present their side of the story. Thus, the pre-disciplinary hearing should be an initial check against mistaken decisions -- not a full evidentiary hearing, but essentially a determination of whether there are reasonable grounds to believe that the allegations against the employee are true and support the proposed action.

NLRB v. J. Weingarten Inc., 420 U.S. 251 (1975): In 1975, the United States Supreme Court upheld a decision by the Labor Board that employees have a right, protected by Section 7 of the National Labor Relations Act, to insist upon union representation during an investigatory interview by the employer, provided the employee "reasonably believes" the interview "might result in disciplinary action." The Supreme Court explained that this right arises from Section 7's "guarantee of the right of employees to act in concert for mutual aid and protection." The right has been applied to unionized workforces and is limited to situations in which an employee specifically requests representation. An employer is not required to advise the employee of this right in advance, and it applies only to investigatory meetings and not to meetings when, for example, the employer communicates a decision regarding a disciplinary matter.

Whether the belief that discipline might result from the interview is reasonable is based on "objective standards" and upon an evaluation of all the circumstances. If the employee does have a reasonable belief that discipline may result from the interview, the employer must grant the request, dispense with the interview, or offer the employee the option of continuing the interview unrepresented or not having an interview. If an employer refuses to allow union representation but goes ahead with the interview, or if the employer disciplines the employee for refusing to participate in the interview after denying the employee union representation, the employer has committed an unfair labor practice in violation of the National Labor Relations Act.

COMMUNITY OUTREACH (SMC 04.32.050)

Pursuant to Spokane Municipal Code Section 04.32.050, the Ombudsman shall develop and maintain a regular program of community outreach and communication for the purpose of listening to and communicating with the residents of Spokane on matters subject to the Ombudsman's jurisdiction.

OUTREACH EFFORTS

In 2009, the Office of Police Ombudsman established satellite offices at the East Central, Northeast and West Central Community Centers to provide community outreach while attempting to minimize the cost and inconvenience to members and visitors of the community.

Since 2013, the Office of Police Ombudsman no longer maintains satellite hours at the Community Centers. However, the OPO did host office hours at two COPS Office locations as well as weekly satellite hours at the Volunteers of America's Crosswalk Teen Shelter.

In addition, the Office of Police Ombudsman also hosts satellite office hours on a monthly basis at the House of Charity, the Spokane Transit Authority Plaza located in downtown Spokane and at the NATIVE Project. Additionally, the Office of Police Ombudsman has an increased presence and visibility in the community by attending neighborhood fairs and community events. Please contact the Office of Police Ombudsman for specific dates and times.

If you would like the Ombudsman to participate in your event, please contact the Office of Police Ombudsman. You can also follow the Office of Police Ombudsman on Facebook at www.facebook.com/spdombudsman.

In 2014, the Ombudsman attended the following meetings and events:

- 69 Neighborhood Council meetings were attended.
- 29 Spokane City Council meetings, 3 Town Hall meetings
- 11 Spokane Community Assembly meetings and 4 joint Community Assembly/City Council meetings
- 10 NAACP monthly meetings
- 1 joint SPD/COPS meeting
- 1 joint DOJ/COPS meeting
- 1 Community Center meeting
- 1 NevaWood C.O.P.S. meeting
- 3 NATIVE Project meetings
- 1 Christian Service Team Advisory Council meeting
- 2 OPO Commission Development Public Meetings
- 5 West Central Community Center Coalition meetings
- 2 Community Prevention Wellness Initiative
- 9 meetings of SPARC, Spokane Police Accountability and Reform Coalition
- 8 OutSpokane board meetings and 4 LGBT Center board meetings
- 8 Spokane Human Rights Commission meetings
- 5 Spokane Police Advisory Committee meetings
- 3 East Central "Community Café" meetings
- 2 Center for Justice, Justice Lunchbox meetings and discussions
- 2 Rotary South meetings
- 2 Deadly Force Review Board sessions
- 1 Northwest Coalition on Human Rights regional meeting
- 1 Office of Police Ombudsman Commission meeting
- 1 Ethics ordinance discussion meeting
- 1 Homeless Connects meeting
- 1 Spokane Department/Division Head

- meetings
- 1 ONES meeting
- 1 Spokane Board and Steering Committee meeting
- 1 East Central Community Center Strategy

- meeting
- 1 NE Kiwanis Club meeting
- 1 House of Charity meeting with security staff

In 2014, the Ombudsman provided presentations to:

- 25 of the 27 Neighborhood Councils
- Community Assembly Meeting
- 3 City Council Meetings
- The NAACP
- C.O.P.S. Southeast

In 2014, the Office of Police Ombudsman participated in the following community events:

- 2014 Fall Quarter Community Partner Expo booth, Spokane Falls Community College
- Block Watch Crime Prevention Forum
- Center for Justice movie fundraiser
- Chief Gary Park Neighborhood Council Kidcal Mass Bike Ride
- Chief Gary Park Neighborhood Council Pizza Feed Fundraiser
- Community Café Potluck
- Community Forum on Body Cameras
- Community Forum, Salem Lutheran Church
- The Community School, Social Studies 11th grade guest speaker
- Cops ‘n Kids Car Show
- COPS Shop Open House
- Crosswalk Teen Shelter
- Don’t Shoot Spokane meeting
- East Central Community Center Candy Carnival
- East Central Community Center Night Out Against Crime
- Fall Service-Learning Fair booth, Whitworth University
- Fiesta Spokane Festival
- Garland Street Fair
- Gathering at the Falls Pow Wow
- Gonzaga University, Hands Up; Don’t Shoot, Police Brutality in Ferguson and Beyond Forum panelist
- Health District Safety and Wellness Fair, Longfellow Elementary School
- Hillyard Festival
- Hillyard Harvest Festival

- Hillyard Heritage Museum Society Hobo Dinner
- House of Charity
- Human Rights Commission Awards Ceremony
- Human Rights Commission Retreat
- Israel Peace Rally
- Kootenai County Human Rights Task Force
- MLK Information Fair booth
- MLK Luncheon at Shadle Park HS
- MLK March
- NAACP Freedom Fund Banquet
- NAACP Health Fair
- The NATIVE Project
- The NATIVE Project 25 Year Anniversary
- The NATIVE Project Wellness Dinner
- The NATIVE Project Youth Leadership Camp
- Northeast Youth Center Leadership Camp
- OutSpokane Harvey Milk celebration
- OutSpokane Murder Mystery and Silent Auction
- OutSpokane Retreat
- PJALS Peace and Economic Justice Conference
- Police Advisory Committee Retreat
- Purple Heart Day
- Rainbow Festival
- Rattlesnake Motorcycle Club meeting
- Riverside Neighborhood Night Out Against Crime
- Rotary Club South luncheon guest speaker
- Salvation Army
- Sheriff for Pastors luncheon
- Sit and Lie Demonstration
- Smart Justice Spokane Community Symposium
- Southwest Rotary Club
- SPD Volunteer Services Award Ceremony
- Spokane County Substance Abuse booth, Spokane County Fair
- Spokane Fire Department 2014 Meritorious Awards Ceremony
- Spokane Homeless Connection
- Spokane Ministers Fellowship installation of new board members
- Spokane Police Department Youth & Police Initiative class
- STA Main terminal
- STA Outreach

- Sweet Feet Run
- Unity in the Community
- West Central Community Forum
- West Central Neighborhood Days
- West Central Neighborhood Night Out Against Crime
- YWCA Stiletto Race

PROFESSIONAL TRAINING (SMC 04.32.070)

Pursuant to Spokane Municipal Code Section 04.32.070, the Ombudsman shall continue his/her education throughout the period of employment as the Ombudsman in subjects consistent with the responsibilities of employment. At a minimum, such training shall include:

- A training program in police procedures and orientation to the Spokane Police Department, including at least one ride along with the police within six months of appointment
- Completion of the Spokane Police Department's Citizen Academy within one year of appointment

TRAINING RECEIVED

In 2014, Office of Police Ombudsman staff attended:

- Asset-Based Community Development training
- Association of Washington Cities Annual Conference
- Body camera training by SPD (OPO Commissioners & Incoming OPO Assistant)
- CIT training (OPO Assistant)
- Culturally Responsive and Responsive Practices training
- EWU Africana Studies, African American Women's History
- EWU Africana Studies, Black Student, White School
- EWU Africana Studies, The Civil Rights Movement in Spokane
- EWU Africana Studies, Urban Metaphysics
- First Aid Renewal
- Force Science Institute
- IA Pro training (OPO Assistant)
- INBA LGBT demographics presentation at Gonzaga School of Law
- Marijuana: Our Community* Our Health* Our Youth, A Train The Trainer Event
- NACOLE 2014 National Conference
- NACOLE Audit Training
- Northwest Gang Conference
- Our Kids, Our Business

- Reid Advanced Interview Training by Spokane County Sheriff's Office
- "Respect in the Work Place" by City of Spokane
- SPD Fall In-Service Training
- Spokane County Sheriff's Office Quarterly Leadership Training
- Supervisor Series Training (OPO Assistant)
- Taser Training, Risk Management Seminar
- Transgender and Law Enforcement training webinar by NACOLE
- Use of Force Report Writing training (OPO Assistant)
- Vulnerable Adults Conference
- Washington State Open Public Meetings Act (OPO Assistant)
- The Winning Mind For Women (OPO Assistant)

Due to budgetary constraints, the Spokane Police Department did not offer a Citizen Academy in 2014. As a result, the Ombudsman has been invited to attend future police in-service and leadership training classes the Department intends to offer.

In 2014, the Ombudsman participated in 9 ride-alongs with different Spokane police officers on different shifts. In addition, other OPO staff participated in 3 ride-alongs with the Spokane Police Department in 2014.

REPORTING REQUIREMENTS (SMC 04.32.110)

Pursuant to Spokane Municipal Code Section 04.32.110 (C), the Ombudsman shall make a monthly report to the Mayor, the Chief of Police and the Public Safety Committee. In addition, the Ombudsman shall make an annual report to the City Council during a City Council meeting.

The report shall contain:

- statistical analysis documenting the number of complaints by category, disposition, and action taken
- analysis of trends and patterns
- recommendations

REPORTING

In 2014, 12 monthly reports were made to the Public Safety Committee and the Ombudsman presented highlights from the report at the Legislative Session of the City Council meeting that occurred the same day as the Public Safety Committee meeting. The reports were also provided to the Mayor, the City Administrator and the Chief of Police.

In 2014, the Public Safety Committee was comprised of City Council President Stuckart and Council Members Snyder (Chair), Waldref, Allen, Fagan, Mumm and Stratton. The Public Safety Committee meets and continues to meet at the Spokane City Hall, Council Briefing Center on

the third Monday of each month at 1:30 p.m. Public Safety Committee Meetings are open to the public. Public comment is not received during these meetings.

The Office of Police Ombudsman Report contains information from the previous month and can also be located on the website for the Office of Police Ombudsman (www.spdombudsman.org) in the “Documents & Reports” section.

The Ombudsman is also required to complete and present an Annual Report to the Spokane City Council. The 2009 inaugural Report was completed and presented to the City Council on Monday, April 12, 2010 during the 6:00 p.m. Legislative Session. Recognizing that information needs to be timely, significant effort has been placed on completing future annual reports as soon as possible after the calendar year ends.

The 2010, the Annual Report was presented to the Spokane City Council on Monday, March 7, 2011 during the 6:00 p.m. Legislative Session. In 2011, a Mid Year Report was published in July. The 2011 Annual Report was presented to the Spokane City Council on Monday, February 20, 2012 during the 6:00 p.m. Legislative Session. In 2012, a Mid Year Report was published in July. The Annual report was presented to the Spokane City Council on Monday, February 25, 2013 during the 6:00 p.m. Legislative Session. In 2013, a Mid Year Report was published in July and the Annual Report was presented to the Spokane City Council on Monday, February 24, 2014. In 2014, a Mid Year Report was published in mid 2014.

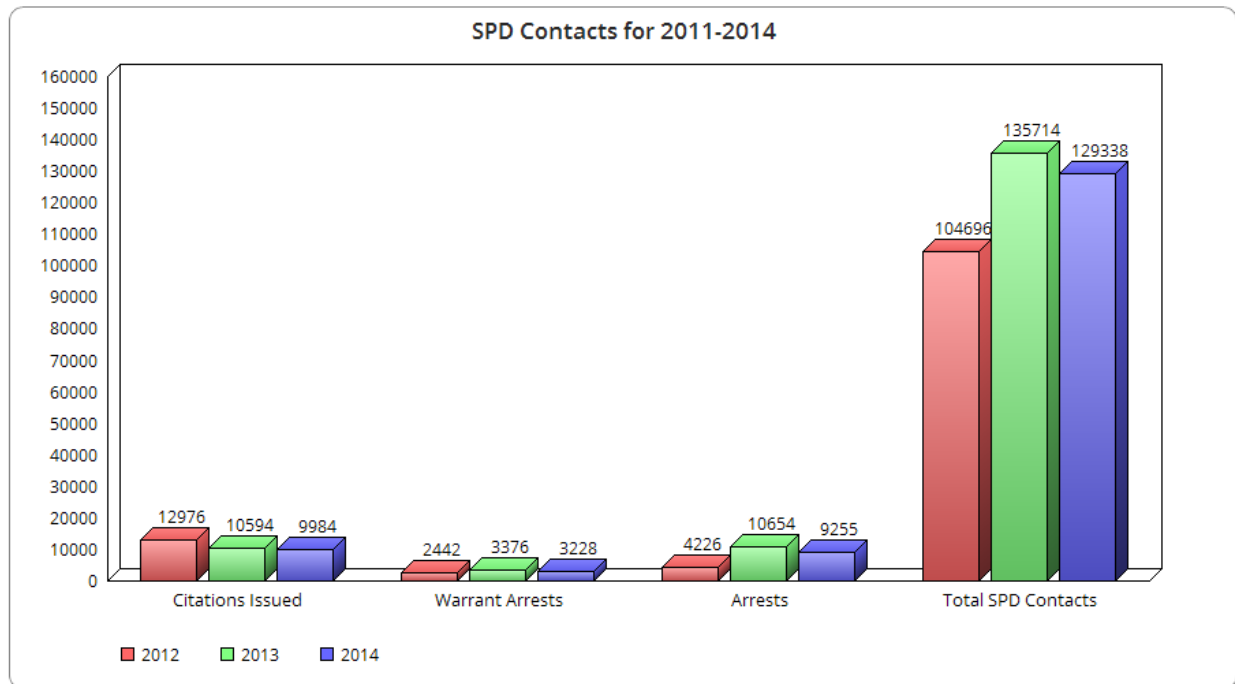
IV. Statistical Data for 2014

PERSPECTIVE*

In 2014, officers from the Spokane Police Department made a minimum of **129,338 contacts** with individuals in the community ([135,714 in 2013](#)). In 2014, the contacts resulted in the following enforcement action:

- 9,255 Arrests ([4,159 in 2013](#))
 - 8,357 adult arrests:
 - 6,768 were White (81%)
 - 840 were African American (10%)
 - 588 were Native American (7%)
 - 222 were Hispanic (2%)
 - 117 were Asian or Pacific Islander (1%)
 - 22 race/ethnicity was not noted
 - 898 juvenile arrests:
 - 624 were White (69%)
 - 147 were African American (16%)

- 71 were Native American (8%)
- 23 were Asian or Pacific Islander (3%)
- 21 were Hispanic (2%)
- 12 race/ethnicity was not noted
- 3,228 Warrant Arrests (3,376 in 2013)
- 9,984 Citations Issued (10,594 in 2013)



COMPLAINT CLASSIFICATIONS

While the primary focus of the Ombudsman's Office has been to ensure that complaints received are investigated in a timely, thorough and objective manner, this responsibility is one of several duties the Office of Police Ombudsman performs on a daily basis. The Office spends a significant amount of time assisting people who have questions regarding the actions of the Spokane Police Department.

For the purpose of documentation, the Office of Police Ombudsman defines civilian interactions in one of the following terms:

CONTACT - Most contacts are received through phone calls. Many of the contacts do not rise to the level of a complaint or inquiry but typically involve general information questions such as: *How do I obtain a restraining order? Is panhandling against the law? Who can I contact for assistance with an imminent eviction? How can I retrieve a driver's license that was not returned during a traffic stop?*

INVESTIGATIVE INQUIRY – All complaints received directly by the Office of Police Ombudsman and the Internal Affairs Unit are processed and referred to the Office of the Chief for review and classification. This classification may only be made by the Chief of Police or the Chief’s designee. An Inquiry is a matter which constitutes a question involving Spokane Police Department policies, procedures, points of law or other issues not pertaining to misconduct.

FORMAL COMPLAINT - A “formal complaint” is an allegation received from a citizen alleging conduct by a Spokane Police Department employee which, if sustained would constitute a violation of law or the policies and/or procedures of the Spokane Police Department.

NOTE: Information received by the Office of Police Ombudsman is submitted to the Spokane Police Department Internal Affairs Unit for classification. Based on a case-by-case review of the information provided, complaints will either be classified as a Formal Complaint or Investigative Inquiry pursuant to Spokane Municipal Code Section 04.32.030e. In the event that the Ombudsman disagrees with the classification, the Ombudsman can appeal the classification and the matter is subject to review by the Chief of Police and, if necessary, the Mayor.

FINDINGS

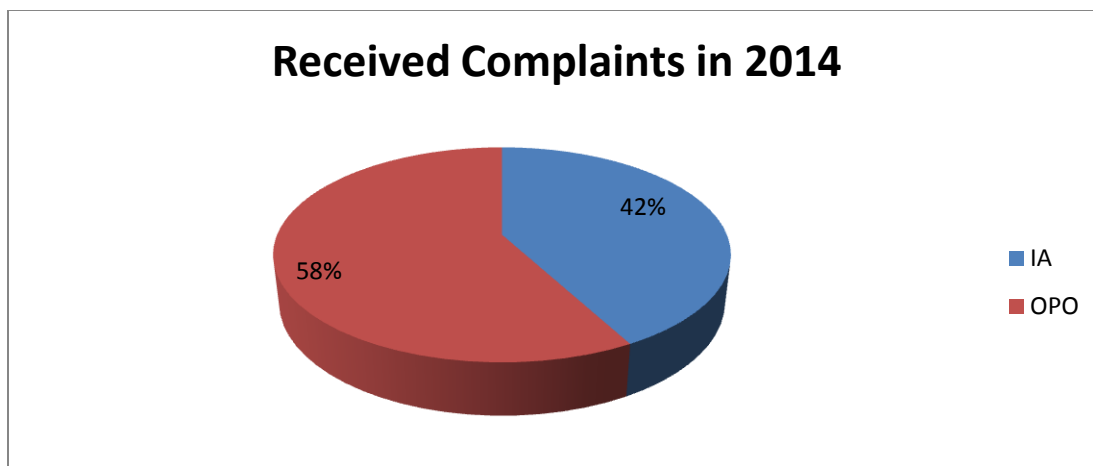
In 2014, pursuant to Spokane Municipal Code Section 04.32.030, the Office of Police Ombudsman certified **33** completed Internal Affairs Unit investigations as timely, thorough and objective (**72 in 2013**). In 2014, the Office of Police Ombudsman declined to certify 12 investigations (**2 in 2013**).

INTERNAL AFFAIRS COMPLAINTS RECEIVED IN 2014

In 2014, the Spokane Police Department received 72 complaints directly (**112 in 2013**). 31 were classified as Investigative Inquiries and the remaining 41 were formally investigated.

In 2014, the Office of Police Ombudsman also forwarded 99 complaints to the Internal Affairs Unit for review and consideration (**107 in 2013**). 69 of the complaints were classified as Investigative Inquiries, 27 were assigned for investigation. Two complaints were administratively suspended by internal affairs due to one being a duplicate complaint and the other did not involve an SPD employee. It was referred to human resources.

In 2014, a combined total of 171 (**218 in 2013**) complaints were received between the Office of Police Ombudsman and the Spokane Police Department.



INTERNAL COMPLAINTS

In 2014, 19 of the 68 complaints assigned for investigation were internally generated, typically by police supervisors (21 of 116 in 2013) and involved 22 employees of the Spokane Police Department.

In 2014, the 19 internally generated complaints resulted in 28 allegations. As of April 30, 2015, 5 cases were still open. The 28 allegations were resolved through the following processes:

- 2 allegations were Unfounded meaning the investigation disclosed that the alleged act(s) did not occur or did not involve department personnel.
- 1 allegation was Exonerated meaning the investigation discloses that the alleged act occurred, but that the act was justified, lawful and/or proper.
- 5 allegations were Administratively Suspended due a number of reasons such as the employee resigned or retired or the issue was handled at the shift level.
- 11 allegations were Sustained meaning the investigation disclosed sufficient evidence to establish that the act occurred and that it constituted misconduct.
- 3 allegations were Not Sustained meaning the investigation disclosed that there was insufficient evidence to sustain the complaint or fully exonerate the employee.
- 1 allegation was Changed to an Inquiry after further investigation.

Internal complaints included allegations of: Absent Without Leave, Dereliction of Duty, Work-Related Dishonesty, False Reporting, DUI, Intoxicated on Duty, Insubordination, Inadequate Response, Awareness of Factors Affecting Responsibilities, Failure to Report Damage by City Person, Wrongfully Giving Away Department Property, Officer-Gave or Received Gifts, Failure to Disclose Information, Crime/Conflict of Interest, Failure to Report Domestic Violence, Policy Violation/Standard Violation, Reasonable Expectation of Privacy, Discourteous Treatment of a Fellow Employee, Discrimination, Deadly Force Review Board.

CITIZEN COMPLAINTS (including OMBUDSMAN RECEIVED COMPLAINTS)

Sixty-eight **citizen** complaints were assigned for investigation in 2014 (95 in 2013). Twenty-seven, approximately 40%, originated through the Office of Police Ombudsman (42% in 2013).

In 2014, the 49 investigations generated by citizens resulted in 68 allegations. The 68 allegations were resolved through the following processes:

- 9 allegations were Administratively Suspended due to inability to contact the complainant after multiple attempts, the employee retired, etc.
- 4 allegations were Unfounded meaning the investigation disclosed that the alleged act(s) did not occur or did not involve department personnel.
- 12 allegations were Exonerated meaning the investigation discloses that the alleged act occurred, but that the act was justified, lawful and/or proper.
- 7 allegations were Sustained meaning the investigation disclosed sufficient evidence to establish that the act occurred and that it constituted misconduct.
- 19 allegations were Changed to Inquiries after further investigation.
- 9 allegations were Not Sustained meaning the investigation disclosed that there was insufficient evidence to sustain the complaint or fully exonerate the employee.
- 1 allegation was resolved through Mediation as an alternative to the investigation, adjudication and disciplinary process.

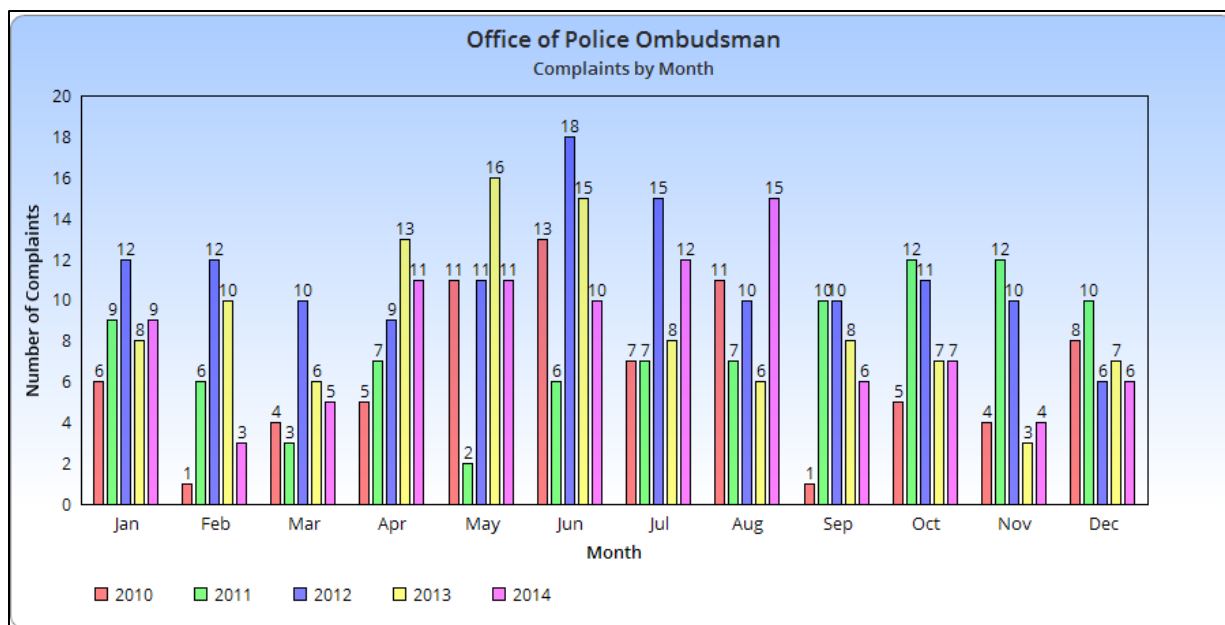
Citizen generated complaints included allegations of: Demeanor, Inadequate Response, Unlawful Seizure, Assault, Dereliction of Duty, Excessive Force, Failure to Report Malicious Harassment, Unlawful Search, Conduct Unbecoming, Untruthfulness, Misuse of Department Badge, Failure to Report Domestic Violence, Exceeding Lawful Authority, Abuse of Authority, Racial Bias, Racial Profiling, Preserving Evidence, False Reporting Indecent Liberties, Sex on Duty.

OMBUDSMAN RECEIVED COMPLAINTS

During 2014, the Office of Police Ombudsman was contacted 1,477 times for various reasons (1,252 in 2013). Contacts increased approximately 18% from 2013.

Of the 1,477 contacts, 99 complaints were received (107 in 2013) and forwarded to the Internal Affairs Unit for classification and assignment, 69 complaints were classified as Investigative Inquiries (66 in 2013), 27 complaints were assigned for investigation (40 in 2013).

See below for a graph of complaints received by the Office of Police Ombudsman by month for 2010 through 2014.



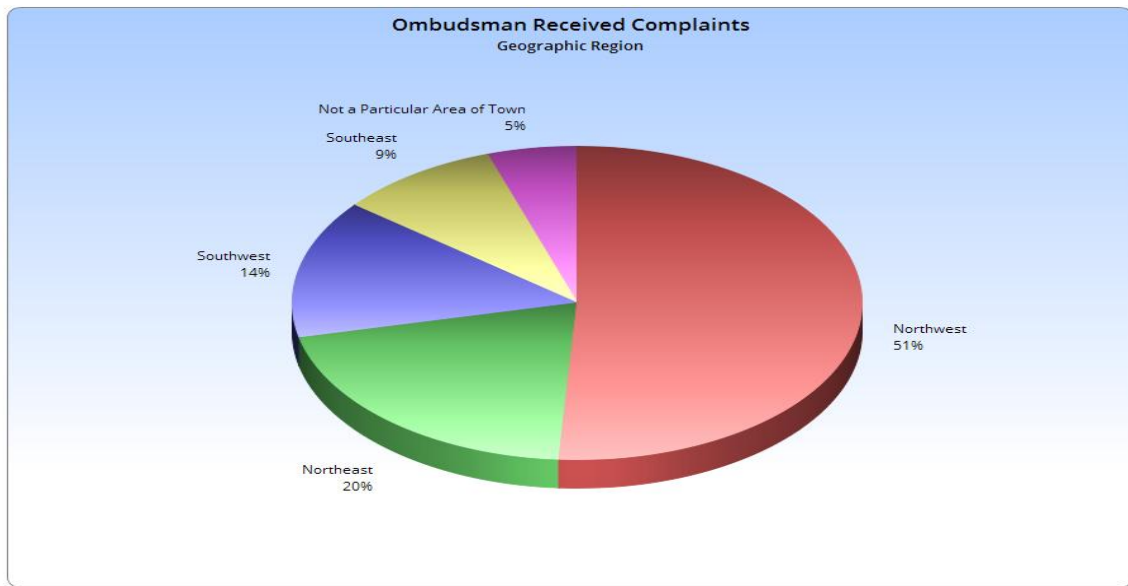
There were 45 additional complaints received by the Office of Police Ombudsman involving jurisdictions outside the City of Spokane (25 in 2013). Those complaints were documented and referred to the appropriate jurisdiction with authority to investigate the complaint(s).

The 27 Ombudsman-received complaints assigned for investigation resulted in the following 39 misconduct allegations:

Demeanor (12)	Failure to Report DV (1)
Inadequate Response (11)	Racial Bias (1)
Excessive Force (3)	Abuse of Authority (1)
Unlawful Search (5)	Exceeding Lawful Authority (1)
Assault (1)	Untruthfulness (1)
Failure to Report Malicious Harassment (1)	Unlawful Seizure (1)

In 2013, the Office of Police Ombudsman began documenting the area each OPO complaint occurred in to identify where complaints occur. The OPO divided Spokane into four quadrants; the north-south borderline is Sprague Avenue and the east-west borderline is Division Street. Of the 99 complaints received by the Office of Police Ombudsman in 2014:

- 50 complaints originated in the Northwest (36 in 2013)
- 20 complaints originated in the Northeast (30 in 2013)
- 14 complaints originated in the Southwest (12 in 2013)
- 9 complaints originated in the Southeast (11 in 2013)
- 5 complaints did not originate from a particular area of town (i.e. phone calls, etc.) (18 in 2013)



EXCESSIVE FORCE COMPLAINTS

In 2014, 5 excessive force complaints were received involving 6 different officers ([13 complaints involving 24 officers in 2013](#)). None of the excessive force complaints received in 2014 were sustained ([0 in 2013](#)). In each case, the Internal Affairs investigation determined that the accused officers performed within the scope of their legal authority and within Department policies, procedures and training.

DISCIPLINE

In 2014, 68 Internal Affairs complaint investigations resulted in 16 members of the Spokane Police Department being disciplined for the following 17 violations ([14 members for 16 violations in 2013](#)). Five complaint investigations remain open as of April 30, 2015:

- (1) Awareness of Factors Affecting Responsibilities
- (1) AWOL
- (1) Conduct Unbecoming
- (2) Dereliction of Duty
- (1) DUI
- (1) Failure to Report Damage by City Person
- (2) Failure to Report Domestic Violence
- (5) Inadequate Response
- (1) Misuse of Department Badge
- (1) Policy Violation 3.1/Standard Violation 2.2
- (1) Reasonable Expectation of Privacy
- (1) Sex on Duty

Sanctions imposed by the Chief of Police, as reported by the Internal Affairs Unit, were:

- (1) Termination Recommendation (Employee resigned before case completed)
- (2) One Day Suspension
- (1) Documentation of Counseling
- (1) Two Day Suspension and Two Day Community Service
- (4) Letter of Reprimand
- (1) Oral reprimand
- (1) Verbal and Written Counseling
- (1) Verbal Counseling
- (1) Demotion
- (1) Written Reprimand and Social Media Training

Sanctions imposed involving vehicle collisions are provided on page 26.

OTHER STATISTICS OF INTEREST*

TASER USE

In 2014, Spokane police officers used the taser 24 times in 22 incidents in the performance of their duties (32 times in 29 incidents in 2013). 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.

In 2014, there were no complaints received by the Office of Police Ombudsman or the Internal Affairs Unit regarding the use of the taser.

POINTING A FIREARM AT AN INDIVIDUAL

In July, 2013 the Spokane Police Department began recording each time an officer pointed their firearm at an individual. In 2014, officers pointed their firearms at individuals a total of 34 applications in 31 incidents (34 applications in 27 incidents from July 1 to December 31 in 2013).

DEADLY FORCE

In 2014, Spokane police officers were involved in **five** critical incidents requiring the use of Deadly Force. No complaints were received regarding these incidents. These incidents are discussed on pages 8 and 9.

EMERGENCY RESPONSE UNIT (ERU) TEAM CALL OUTS (formerly known as SWAT)

In late 2014, the Special Weapons and Tactics (SWAT) team was re-named to the Emergency Response Unit (ERU). In 2014, there were 42 ERU Team call activations (54 in 2013). Of these, 17 were for high-risk warrant service (29 in 2013), 20 were for tactical operations (20 in 2013), three were for special events (3 in 2013) and two were for outside agency assists (2 in 2013).

No complaints were received by the Office of Police Ombudsman or the Spokane Police Department Internal Affairs Unit related to any ERU deployments in 2014 (0 in 2013).

SEARCH WARRANTS

The Spokane Police Department no longer tracks the number of search warrants served (225 in 2012). The Office of Police Ombudsman recognizes the difficulty in tracking this number but believes that tracking the number of warrants served is important data the public should have access to.

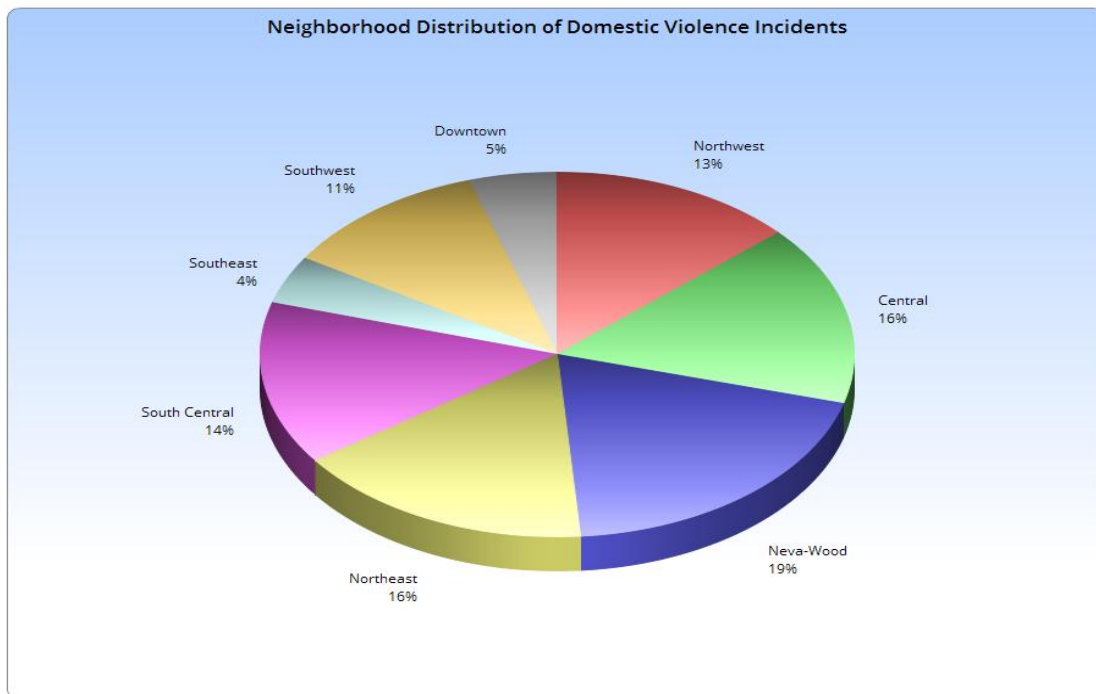
DOMESTIC VIOLENCE

In 2013, the Spokane Police Department began tracking the number of domestic violence (DV) incidents differently; tracking number of DV incidents instead of calls where DV was alleged.

In 2014, Spokane police officers responded to 3,695 domestic violence incidents. 2,487 were actual DV assaults and 994 involved protection order violations.

The neighborhood distribution of domestic violence related calls for service is (approximately**):

- NevaWood District – 19% (includes the Nevada/Lidgerwood and Whitman neighborhoods)
- Central Spokane District – 16% (includes the Emerson/Garfield and W. Central neighborhoods)
- Northeast District – 16% (includes the Bemiss, Hillyard, Logan and Minnehaha neighborhoods)
- South Central District – 14% (includes the Chief Garry Park and E. Central neighborhoods)
- Northwest District – 13% (includes the Balboa/S. Indian Trail, Five Mile Prairie, N. Hill, N. Indian Trail and Northwest neighborhoods)
- Southwest District – 11% (includes the Browne's Addition, Cliff/Cannon, Comstock, Grandview/Thorpe, Latah Valley, Manito/Cannon Hill, Peaceful Valley and West Hills neighborhoods)
- Southeast District – 4% (includes the Lincoln Heights, Rockwood and Southgate neighborhoods)
- Downtown District – 5% (includes the Riverside Neighborhood)



Due to the potential for violence and the possibility of mandatory arrests, domestic violence calls typically require a minimum response of two officers.

Calls that do not rise to the level of a domestic violence call may be classified as an argument, but officers are trained not to assume domestic violence calls are simply arguments. Due to the nature of domestic violence calls and the number of officers required to respond to these calls, domestic violence calls continue to be a drain on Police Department resources.

While there is a direct cost for programs and education, there is also a significant cost to responding to these types of calls. It makes sense to be proactive through programs and education for a variety of reasons.

VEHICLE PURSUITS and ACCIDENTS

In 2014, members of Spokane Police Department patrol were involved in 46 patrol vehicle pursuits ([59 in 2013](#)).

In 2013 the reporting requirements for officers involved in pursuits became stricter.

In 2014, 56 members of the Spokane Police Department were involved in 65 collisions ([58 collisions in 2013](#)). Three officers were involved in two collisions, two officers were involved in three collisions and one officer was involved in four collisions. Investigation of the collisions revealed that:

- 11 collisions were through legal intervention (12 in 2013)
- 28 collisions were not preventable (24 in 2013)
- 24 collisions were determined to have been preventable (16 in 2013)
- 3 collisions involved property damage only (3 in 2013)

In 2014, five officers were injured in these collisions.

Discipline received for preventable vehicle accidents were:

- 2 employees received a written reprimand
- 14 employees received verbal counseling
- 2 employees received an oral reprimand
- 1 employees received a written reprimand and EVOC training
- 1 employee received oral counseling and EVOC training
- 2 employee received a DOC (documentation of counseling)
- 1 employee received verbal counseling and PAR (performance appraisal review) notation

MENTAL HEALTH RESPONSE

In 2014, Spokane police officers responded to a minimum of 1,020 incidents involving citizens with mental illness or disability (1,106 in 2013). The results of the contacts were:

- 632 contacts required no law enforcement action (674 in 2013),
- 344 contacts resulted in an individual being transported to a medical or mental health facility (353 in 2013),
- 40 contacts resulted in an individual being arrested (64 in 2013), and
- 4 individuals contacted exhibited symptoms of “Excited Delirium” (15 in 2013).

There were no Excited Delirium related deaths during Police Department arrests in 2014 (0 in 2013).

CITIZEN RIDE ALONGS

In 2014, the Spokane Police Department hosted 278 ride-alongs (453 in 2013). Below is a breakdown of who participated in ride-alongs:

- | | |
|--------------------------------|------------------------|
| • 71 Citizens | • 5 Leadership Spokane |
| • 8 Co-op’s | • 16 OPO |
| • 9 C.O.P.S. Volunteers | • 1 Police Chaplain |
| • 29 Employees (including 911) | • 104 Reserve Officers |
| • 33 Explorers | • 2 Senior Volunteers |

CRISIS INTERVENTION TEAM (CIT) TRAINING

A total of 126 officers were trained in CIT during 2014. As of March 2015, 100% of Spokane Police Department officers had received 40-hours of CIT training.

NO RESPONSE CALLS

The Spokane Police Department receives a number of calls from citizens which do not require a police response or where personnel were 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 2014, **33,526** calls were cleared in this manner (**10,387 in 2013**). 20, 143 of those originated from calls to 9-1-1 and 13,383 originated from calls to Crime Check. It is important to note that this overall number reflects a newly included category, which covers calls that were cancelled due to the citizen reporting something that is not a crime. This category was not included in the numbers reported for 2013 and reflects much of the significant increase in these types of calls.

In an ongoing effort to address these dropped calls, in 2013 the City of Spokane launched “My Spokane” where individuals can call one number (509-755-CITY) or visit one desk at City Hall to be directed to the appropriate city service. Ultimately, work continues on a 3-1-1 system where individuals will be able to dial 3-1-1 to access the My Spokane desk.

**As reported by the Spokane Police Department*

***Any variances present in total values are due to those incidents that did not geoverify to a Spokane City reporting district. There also may be slight differences due to the different processes utilized in computing these statistics in comparison to the monthly Uniform Crime Reporting process.*

IV. 2014 Office of Police Ombudsman Recommendations

The following recommendations were suggested by the Ombudsman to the Mayor, the City Council President, City Council Members, the Chief and Acting Chief of Police for consideration in 2014. They are in no particular order of significance or importance.

- Thursday, May 29, 2014: The Ombudsman recommended that all Sergeants be provided with portable miniature recording devices to be used for shift level internal affairs interviews they conduct. Recording devices will provide for consistency in the process.
- Wednesday, June 25, 2014: Policy be developed to provide appropriate medical examination and care for individuals injured when an officer forcefully places an individual on the ground and the individual receives a minor injury consistent with the technique used by the officer, and that the incident be documented through a Use of Force report, and that the number of incidents be accurately documented and reported.

- All Use of Force report interviews be recorded and transcribed. (SPD Policy 300.7)
- CIT trainers are part of the Internal Affairs complaint investigation review process involving complaints where mental health is a component of the investigation.
- In July the OPO received a Negligent Driving complaint. The Internal Affairs' investigation of the complaint revealed that the officer was responding to a mutual aid SWAT activation request (Signal 1) by the Spokane County Sheriff's Office. The officer was driving to the police department to get their equipment. The officer was cancelled before leaving the police department. The complaint was closed as an Investigative Inquiry.

The complainant indicated that when the officer approached an intersection controlled by a red traffic light the officer stopped and then preceded through the intersection with the police vehicle emergency lights activated but without the siren on. The complainant indicated that the officer did this at several controlled intersections.

In reviewing the SPD Manual and the SWAT SOP, there is nothing that would prevent or authorize this driving tactic. While a SWAT activation request may be time-sensitive, this action may put the officer and community at risk of injury unnecessarily and the City at financial risk.

The Ombudsman requested that a policy be developed to address this driving strategy to protect the officer, the community and the City.

- With regard to current and future police facilities where the community has an expectation that officers and staff will be present, the Ombudsman recommended that the facilities be equipped with an outside phone or intercom-like device that would allow an individual direct communication with 9-1-1 staff in the event they have an emergency, the building is closed, and the citizen does not have access to a cellular phone.
- Wednesday, August 6, 2014: The Office of Police Ombudsman received an Inadequate Response complaint on Tuesday, July 22, 2014. The complaint involved a child custody dispute. The complaint investigation was closed as an Inquiry with OPO agreement. The investigation revealed that one of the involved parties would not provide the other party with the child car seats to safely transport the involved children from the scene. As

a result, one of the responding officers used their own money to purchase two (2) child car seats so that the children could be safely transported. Research revealed that there is not an emergency fund to provide for such necessities.

As a result of this incident, it is the recommendation of the Office of the Police Ombudsman recommends that an emergency fund be established to handle these types of situations. Funds should be available to 24 hours a day, possibly at the shift lieutenant or sergeant level. The OPO also recommends that the officer that spent their own money to buy the child car seats be reimbursed for that expense.

- Friday, September 26, 2014: The Ombudsman made a recommendation to the Internal Affairs Lieutenant that the police department stop bartering police department property immediately until a policy on bartering can be developed and the Mayor and City Council can be made aware of the situation that led to the recommendation and appraised of the Police Administration's intended direction This recommendation was made after the ombudsman became aware that bartering was occurring at the police range as the result of an internally generated complaint.
- Friday, September 26, 2014: The Ombudsman made the following recommendations to the Chief of Police regarding the current Deadly Force Review Board (DFRB) process:
 - Office of Police Ombudsman/Ombudsman to be included in SPD policy 302.4.1, Composition of the Board, formalizing the participation by the Ombudsman in the DFRB process.
 - Process be recorded, preferably through video but at minimum through audio
 - Subject matter experts provide written reports on the analysis and findings prior to presentation.
 - Representative from Sheriff's Office attend
 - Representative from State Patrol attend
 - Representative from Medical Examiner's Office attend and present
 - Representative from Prosecutor's Office attend and present
 - Members from the OPO Commission be allowed to attend future DFRB's.
- At the Spokane Police Department Fall In-Service training, water rescue training was provided to the attendees. The training involved the use of a rope-in-a-bag device to assist in water rescue. It is the Ombudsman's understanding that the Police Department intends to purchase 20 of these devices and place them in supervisor vehicles. The Ombudsman and the Office of Police Ombudsman Commission recommend that the

department purchase enough devices to put one in each patrol vehicle. The Ombudsman and Office of Police Ombudsman Commission also recommend that the department purchase life vests for the officers to wear during water rescue efforts. Although there is a cost associated with the recommendation, the possibility of saving a life is priceless and well worth the investment.

- The Office of Police Ombudsman Commission unanimously approved the Ombudsman's recommendation to the Mayor and City Council that an independent comprehensive, financial, performance and compliance audit be conducted for the Spokane Police range based on the results of a completed and certified internal affairs investigation involving the bartering of ammunition at the range.