



## 2016 ANNUAL REPORT



Photo by James Richman

# OFFICE OF THE POLICE OMBUDSMAN





# CONTENTS

Message From the Police Ombudsman .....	4
The Office of the Police Ombudsman .....	8
Contact Information .....	8
Mission .....	8
Staff Profiles.....	8
Activities .....	9
Mediation .....	9
Community Outreach .....	9
Professional Training.....	9
Reporting.....	9
Complaints.....	10
Complaint Classification.....	10
OPO Classifications .....	10
IA Complaint – Classification of Complaints Received .....	10
IA Complaint – Disposition of Complaint Allegations.....	10
Commendations Received .....	11
Complaints Received .....	11
Most Common Types of Allegations Made in Complaints .....	12
Trends in Classifications and Findings .....	13
Community Complaints .....	13
Internal Complaints .....	14
Comparing Community and Internal Discipline .....	15
Statistics of Interest.....	16
Use of Force.....	16
Critical Incidents .....	16
Collisions.....	16
Pursuits.....	16
Recommendations.....	17
Complaints Received .....	19

# MESSAGE FROM THE POLICE OMBUDSMAN

May 1, 2017

Mayor David Condon  
Council President Ben Stuckart  
City Council Members  
Office of Police Ombudsman Commission  
Chief Craig Meidl

I am honored to present the Office of the Police Ombudsman's (OPO) 2016 Annual Report. This report covers the period from January 1, 2016, through December 31, 2016, although there was not a Police Ombudsman in place until February 5, 2016. The theme of 2016 was growth, change, reestablishing connections, and setting standards of oversight after more than a year without a Police Ombudsman to provide civilian oversight for the Spokane Police Department (SPD). This summary highlights the key events in 2016, which included: hiring an Interim Ombudsman; hiring a permanent Police Ombudsman; properly classifying existing office staff and creating a proper baseline for office funding; reestablishing a relationship with Internal Affairs (IA) and SPD; providing oversight in the complaint process; and providing policy and training recommendations based on best practices.

## STAFFING AND FUNDING

In February 2016, the Office of the Police Ombudsman Commission (OPOC) selected me to serve as the Interim Ombudsman while the OPOC was awaiting the arrival of Raheel Humayan. After Raheel Humayan's attempt at obtaining a visa to work in the United States was not successful, I was selected as the permanent Police Ombudsman in September following a national search and robust selection process. In May, OPOC Commissioner A.J. VanderPol, Vice-Chair, resigned from his position as he was moving out of the area. This position is a mayoral appointee and has yet to be filled as applications have been limited. Commissioner Ladd Smith was selected by the OPOC to serve as Vice-Chair in November for the remainder of Commissioner VanderPol's term. In December, Commissioner Debra Conklin was selected to serve as the Chair of the OPOC for an additional year and Commissioner Smith was selected to serve as the Vice-Chair for 2017.

Staffing and funding were the first areas I identified that required modification in the OPO. Prior to my arrival, the office was comprised with two part-time employees. I brought the Complaint Coordinator into a full-time position as my Assistant in order to broaden the scope of work allowed to be performed. Later, I worked with Human Resources to reclassify the Assistant position into an Administrative Analyst position to more accurately reflect the work that was being performed. I also worked with Civil Service to transition the OPOC Coordinator position, a temporary/seasonal position, into a project employee position, and set the groundwork for the potential transition of the position within the Civil Service.

Changes in staffing required additional funding to meet the additional hours worked, which prompted me to work with the Administration and City Council for support. City Council members have been a champion for the OPO as I began efforts to secure budgeting to establish a solid grounding for the future of the office. The Administration also allowed me to transfer unused salary and benefit money from within the OPO budget for training opportunities and other basic office functions. This allowed members of the office to attend the National Association for Civilian Oversight of Law Enforcement (NACOLE) conference and the United States Ombudsman Association (USOA) conference, in addition to other training opportunities. In April, the OPO also took a trip to Eugene, Oregon to visit the Office of the Police Auditor; Portland, Oregon to visit the Independent Police Review Division; and Seattle, Washington to visit the Office of Professional Accountability giving the OPO tremendous insight as to how civilian oversight of law enforcement is accomplished throughout our region.

The OPO budget assigned had several gaps that were addressed to the Administration for funding via Briefing Papers which included: the position reclassification of the OPO Assistant to the Ombudsman; establishment of the OPOC Coordinator position permanently; professional services funding for mediation services; establishing an appropriate training budget for the OPO; and providing funding for the OPOC outside counsel. While these requests remained largely unfunded through the budget process due to competing priorities and limited available funds, the OPO did receive adequate funding for the OPOC outside counsel and partial funding for the OPOC Coordinator position. I will continue to work on obtaining an appropriate level of funding for the OPO budget into 2017, to include requests for proper staffing and a proper training allotment.

The OPO appreciates the Administration and City Council's flexibility and commitment to the community by supporting police oversight in Spokane. City Council has assured the OPO that adequately funding the OPO is a priority for them as well as ensuring the office is properly staffed into the future. Further, Mayor Condon honored the OPO and the OPOC by selecting Luvimae Omana as Employee of the Year for Spokane's Core Value: Community and also selecting Commissioner Ladd Smith as the Volunteer of the Year for Spokane.

## REESTABLISHING RELATIONSHIPS WITH THE COMMUNITY, IA, AND SPD

The OPO’s function was limited to receiving complaints in 2015 and there was little to no oversight or presence and engagement with the community. In 2016, OPO worked hard to rebuild its relationship with the community.

In addition to reestablishing relationships with the community, it was important to reestablish a relationship with the leadership in SPD and IA. Then Assistant Chief Meidl consistently obliged me his time so I could share my concerns as we rebuilt the relationship between the OPO and SPD. Initially, there was a period of friction where IA had to get accustomed to my expectations of a timely, thoroughly, and objectively investigated case. During the first two month period, I returned 19 of the 37 total case returns for the year for further investigation by IA. As part of my review of the backlog, which mostly involved cases from 2015 where no oversight was available to be provided, over 80% of allegations made in complaints from the community did not receive a chain of command review. This prompted me to seek out best practices on classification of complaints, what other agencies were doing, and how SPD compared.

OPO Activities in 2016	
790	Citizen contacts
132	Participation or attendance in community meetings and events
9	Letters of officer appreciation/commendation
32	OPO initiated complaints
19	Referrals to other agencies
4	Cases offered to SPD for mediation
63	Interviews of citizens with ongoing or potential complaints
37	Oversight of IA officer interviews
7	Recommendations made for policy and training purposes
11	Internal cases reviewed
1	Complaint(s) received against the OPO

Figure 1: Snapshot of OPO Activities

## OVERSIGHT AND BEST PRACTICES

Tension between law enforcement and the community they serve has been coming to a head over the last few years. As a result, the Department of Justice (DOJ) has examined law enforcement agencies with closer scrutiny. The DOJ conducts formal investigations and releases findings on a specific police department’s policies and practices.

Since 2009, the DOJ has sued 14 police departments and sheriff’s offices for violating constitutional rights. The law enforcement agencies have agreed to carry out reforms, as prescribed by a settlement agreement, under the direction of a federal monitor. A settlement agreement, also known as a consent decree, is intended to improve the relationship between the police and the communities they serve. Most recently, the DOJ has found widespread constitutional violations in Baltimore and Chicago. In Spokane, SPD is currently operating under a Collaborative Reform Model with the DOJ and is voluntarily scrutinizing its own practices based upon best practices offered to them by the DOJ.

DOJ’s reports on Baltimore and Chicago provide significant insight into systemic and widespread problem areas that rightfully raise community awareness and alarm into the questionable practices detailed within them. It should be noted that SPD began their collaboration with DOJ as an initiative to improve their own department. DOJ’s Collaborative Reform Model report on SPD details 42 Findings and Recommendations for improvement; the majority of which are administrative in nature. This report in no way mirrors or can be attributed to the rampant issues found within Baltimore and Chicago. However, in reading the reports on these two cities, I noted areas of interest specifically within the accountability systems to deter misconduct. SPD and the OPO would be remiss not to consider what DOJ has identified as major concerns in the reports on these two cities and look to learn from them.

### DOJ Findings in Investigation of Baltimore Police Department

In DOJ’s report on Baltimore Police Department (BPD)<sup>1</sup>, it found the department lacked meaningful accountability systems to deter misconduct. BPD did not consistently classify, investigate, adjudicate, and document complaints of misconduct according to its own policies and accepted law enforcement standards. Instead, BPD personnel sometimes discouraged complaints from being filed, misclassified complaints to minimize the apparent severity, and frequently conducted little or no investigation. I found indications of all these issues as I conducted my review of the 2015 backlog cases in SPD. The most

<sup>1</sup> Department of Justice Civil Rights Division, *Investigation on the Baltimore Police Department* <https://www.justice.gov/opa/file/883366/download> (August 10, 2016) (last visited April 28, 2017).

widespread practice found was misclassification of complaints as Inquiries or Administratively Suspended leading to no findings or chain of command reviews.

### Case Classification

Administrative closures, combined with a failure to ensure complaints are appropriately classified, undermine the system of accountability and contribute to the perception shared by officers and community members that discipline is inconsistent and arbitrary. According to the DOJ, BPD investigators only nominally accepted complaints and supervisors often “administratively closed” them with minimal investigation. DOJ reviewed five years’ worth of investigated complaints in BPD and found that supervisors suspended 33% of allegations and administratively closed 43% of alleged policy violations without taking disciplinary action. Cases were administratively closed without conducting interviews, without reviewing a single incident report, without making an effort to contact the complainant, while some cases were classified solely for the purpose of “administrative tracking,” or found them not sustained after minimal, if any, investigation.

In my review of the 118 backlog of cases previously investigated by SPD without a Police Ombudsman in place, I found several cases that included little or no investigation and non-objective interviews with citizens and officers. Because most of the cases were outside 180 days from their filings and could not be utilized for or result in discipline, the cases were not reopened but reviewed for policy and training recommendations and reporting purposes. Of the complaints IA investigated in 2015 through February 5, 2016, I declined to certify 17 of those cases. Of them, 12 cases were declined for a lack of thoroughness; 2 cases were declined for a lack of thoroughness and objectivity; 1 case was declined for objectivity; and 2 cases were declined due to administrative errors made by IA.

DOJ found BPD allowed investigations to be cursorily administratively closed if they were deemed not “serious” enough to warrant a full investigation. Officers interviewed in BPD believed it was appropriate to administratively close a complaint when the complainant withdrew his or her complaint or could not be reached. Others believed “complaints” that fail to allege a “real” violation of BPD should be administratively closed. I found all of these beliefs to be prevalent in SPD.

The percent of allegations of misconduct against SPD from the community investigations that were not reviewed by the chain of command in 2015 was significantly higher than BPD. In Spokane, 82% of community allegations against SPD did not receive a chain of command review. When contrasted with Internal Allegations, only 6% did not receive a chain of command review. These figures include both Inquiries and Administratively Suspended cases. In comparison, BPD suspended 33% of allegations and administratively closed 43% of alleged policy violations over a five year period. In 2015, only 19% of allegations of misconduct from the community were sent for chain of command review in SPD<sup>2</sup>. After I brought this to the attention of then Assistant Chief Meidl through a formal recommendation, a change was made in how complaints would be classified. In 2016, 43% of allegations from the community received a chain of command review. This represents an increase of 24% of allegations reviewed from 2015 to 2016.

Source of Complaint	Classification of Allegations	2016	2015
Community	Inquiry / Suspended	58%	82%
	Unfounded / Exonerated	29%	14%
	Sustained	14%	5%
Internal	Inquiry / Suspended	19%	6%
	Unfounded / Exonerated	28%	44%
	Sustained	50%	50%
	To Be Determined	3%	6%

Figure 2: SPD Classification of Allegations

In February 2016, I began providing real time oversight of IA investigations. There was immediate friction in the relationship between the OPO and IA. Several of my requests, such as requesting OPO staff receive access to body camera footage, were stalled and denied. After a few months of working together, the friction came to a head when IA stopped sending a series of OPO Involved Investigations to the OPO for certification. Upon discovering this, I declined to certify 12 of those cases for lack of timeliness. The other cases in the series were internal complaints that IA may send to the OPO for review, but are not required to send to the OPO for the Police Ombudsman’s certification. Part way through 2016, a new Lieutenant was assigned to head IA. This Lieutenant’s goal was to receive 100% certification of OPO Involved Investigations. This marked the beginning of the improvement of relations between OPO and IA. After the OPO recommendation, IA focused on proper classifications of complaints and ensured that all complaints were properly sent to the chain of command for review, except for complaints classified as an Inquiry or Administratively Suspended. This shift in IA’s approach to oversight continues to carry over to the present day.

<sup>2</sup> Due to rounding, the numbers add up to 101%.

After I was hired into this office, I declined to certify a total of 15 current cases of the 69 cases received for review from 2016. Discounting the 12 cases mentioned above which were not appropriately sent to me, I only declined to certify 3 cases. All of these cases were declined for certification due to an administrative error by IA where cases were sent to the chain of command for review prior to OPO certification. It should be noted that because of my ability to send cases back for further investigation or information in the course of certification, there was a significant decline in cases I declined to certify. In 2016, there were 37 instances where I sent cases back for more investigation or information. In each of these instances, IA has provided the further investigation or information requested that has led to certification.

Internal Affairs	2016	2015
No oversight + old leadership	12	17
Oversight + new leadership	3	-

Figure 3: Cases OPO Declined to Certify

### **DOJ Findings in Investigation of Chicago Police Department**

In its report on Chicago Police Department (CPD)<sup>3</sup>, the DOJ found serious investigative flaws that prevented objective fact finding. Several cases showed investigators expressly discouraging civilians from filing complaints, sometimes mocking or humiliating them in the process. In 2015, the Spokane Police Department had several cases in which the complainants dropped their complaint during the course of the investigation or even in the initial interview. There were several cases which did not have audio recordings of the citizen’s desire to drop the complaint and it was only noted in the IA Summary.

### **Witness and Officer Interviews**

In CPD, witnesses and accused officers were frequently not interviewed at all. Officer questioning was often cursory and aimed at eliciting favorable statements justifying the officer’s actions, rather than seeking the truth. Leading questions were used in favor of the officer. CPD appeared to apply a standard that favored officers when evaluating statements made by complainants and officers. Investigators generally discredited or discounted evidence that contradicted the officer’s account. Investigators also failed to follow up with probing questions, which compromised officer interviews by failing to probe beyond reports the accused officer already provided.

In my review of the backlog of 2015 cases in SPD, I came across several examples of the above tactics. In fact, there were several instances where IA justified the officers’ actions when there were no interviews with the officer at all. Further, there were several interviews where the investigator displayed a favorable bias toward the officer, losing objectivity. There was also a pattern of disproportionate length of interviews and questions of complainants as compared to officers. However, when I noticed a technique that I did not like, I was able to bring it to the attention of current IA leadership and they made efforts to implement change. This resulted in an invitation for OPO to participate in complainant and witness interviews in addition to officer interviews. OPO presence added a layer of oversight and I have not since witnessed the behavior described above in current cases. Chief Meidl and IA have also agreed to audit the 2015 cases to look for indications of problematic behaviors of investigators to ensure they will not continue into the future.

Overall, I am pleased with the efforts made by SPD in regards to the complaint process. I have seen a clear commitment by SPD to respond to issues presented by the OPO and a willingness to establish processes which would help to keep issues from reoccurring in the future. The 100% acceptance rate for IA responding to requests for further information or investigation which led to certification is noteworthy, and sets a solid path towards increased collaboration in oversight.

Equipped with the knowledge set forth above, OPO has framed this report with DOJ’s findings in mind. This report includes analysis of OPO received complaints against SPD employees, as well as an analysis of trends, patterns, and recommendations.

Respectfully Submitted,



Bart Logue  
Police Ombudsman

<sup>3</sup> Department of Justice Civil Rights Division and United States Attorney’s Office Northern District of Illinois, *Investigation on the Chicago Police Department* <https://www.justice.gov/opa/file/925846/download> (January 13, 2017) (last visited April 28, 2017).

# THE OFFICE OF THE POLICE OMBUDSMAN

## CONTACT INFORMATION

Office of the Police Ombudsman, City of Spokane  
808 W. Spokane Falls Boulevard, 1st floor  
Spokane, Washington 99201

Phone: (509) 625-6742

Fax: (509) 625-6748

Email: [spdombudsman@spokanecity.org](mailto:spdombudsman@spokanecity.org)

Website: [www.spdombudsman.org](http://www.spdombudsman.org)

Social media: [www.facebook.com/spdombudsman](http://www.facebook.com/spdombudsman) and [www.twitter.com/spd\\_ombudsman](http://www.twitter.com/spd_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.

## STAFF PROFILES

**Bart Logue, Police Ombudsman** – Bart Logue is currently serving as the Police Ombudsman for the City of Spokane. He began serving in this position on September 29, 2016. He previously served as the Interim Police Ombudsman from February 5, 2016.

Bart retired from the United States Marine Corps after more than 25 years of active service. During his service, he attained the rank of Lieutenant Colonel. His most recent assignment was as the Marine Attaché and American Legation United States Naval Attaché to Amman, Jordan. Prior to that, Bart was assigned duties as the Provost Marshal (Chief of Police) for Marine Corps Air Station Beaufort and Marine Corps Recruit Depot Parris Island, South Carolina.

Bart attended night school at Wayland Baptist University, Hawaiian Division and received a Bachelor of Science in Human Services/Criminal Justice with Distinction in April 1994. In March 1998, he completed the graduate course of instruction at National University in San Diego, CA, and received a Master of Forensic Sciences Degree with Distinction. He also completed a Master of National Security Affairs in Middle Eastern Studies from the Naval Postgraduate School in December 2002. Further, he studied Modern Standard Arabic at the Defense Language Institute. Bart is also a graduate from the Federal Bureau of Investigation National Academy Session 239.

**Luvimae Omana, Analyst** – Luvimae Omana has dual degrees in Business Administration and Political Science from the University of California, Riverside and a Juris Doctorate from Gonzaga University School of Law. Luvimae is licensed to practice law in Washington.

Luvimae was selected as Employee of the Year in the Community category for the City of Spokane in 2016. At Gonzaga, she conducted directed research in employment law; she served as the Clinic Assistant in the Environmental Law Clinic; and she clerked for the Honorable Annette Plese in Spokane County Superior Court. Prior to attending law school, she worked for the Housing Authority for the County of Los Angeles in Public Housing. She began her work there by tutoring children after school, then began a pilot program in collaboration with JA Finance Park to teach residents financial literacy, and then transitioned into researching grant funding.

**Tim Szambelan, OPO Attorney** – Tim Szambelan received a Bachelor's Degree from Seattle University in Public Administration in 1987, and in 1990 he graduated from Gonzaga University School of Law. Upon graduation from law school, Tim worked in private practice in the 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.

**Marty Huseman, Coordinator for OPOC & OPO Staff** – Marty Huseman has a Bachelor of Arts in Communication Arts, and is a distinguished graduate of the Federal Law Enforcement Training Center. She retired as Chief Ranger from the National Park Service after 32 years of service.

**Ashraf Alwazani, Intern** – Ashraf Alwazani interned with the OPO while he attended Gonzaga University School of Law. Ashraf's major accomplishment was that he began drafting OPO's current Standard Operating Procedures.

**Whitney Hey, Intern** – Whitney Hey interned with the OPO while she attended Gonzaga University School of Law. Whitney's major accomplishments include substantial work on OPO's Standard Operating Procedures, and drafting various advisory opinions related to cases.





# ACTIVITIES

In accordance to the governing Spokane Municipal Code, OPO conducts the following:

## MEDIATION

The OPO 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.

In 2016, the OPO recommended **4** cases be mediated by SPD. Of the requests made, **2** cases were mediated and **2** cases were declined by SPD. The two cases mediated were for non-response when the citizens called for police services. In both cases, the citizens reported being satisfied with the result. In the two cases declined, SPD did not feel that mediation would be productive for those cases.

## COMMUNITY OUTREACH

The OPO 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. In 2016, the OPO attended **132** meetings and events.

## PROFESSIONAL TRAINING

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: 1) 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; 2) completion of the Spokane Police Department's Reserve Academy, or other similar training program, within one year of appointment; 3) attending police department in-service training; and 4) pursuit of certification from the National Association of Civilian Oversight of Law Enforcement (NACOLE).

In 2016, the OPO attended **22** professional training events. Some of the training attended that were conducted by SPD includes: In-Service Training, VirTra training, Citizens Academy, and Crisis Intervention Training. Other professional training includes: US Ombudsman Association Conference, Reid & Associates: Investigations and Interrogations, national conference for the National Association of Civilian Oversight in Law Enforcement, and the Institute of Police Training and Management courses in Internal Affairs, Active Shooters in the Workplace training, and Body Camera Footage Review training.

Additionally, Bart went on 6 ride alongs with SPD and Luvimae also went on a ride along with SPD. Bart has also completed **19.5** of the 45.0 hours of study necessary for the Certified Practitioner of Oversight Program through NACOLE.

## REPORTING

The OPO reports, on a monthly basis, to the Public Safety Committee, the Mayor, the City Council, the City Administrator and the Chief of Police. In 2016, the Ombudsman completed **1** annual report for 2015 and **11** monthly reports. There was no monthly report published for January 2016 as the office was vacant.



Photo by James Richman

# COMPLAINTS

## COMPLAINT CLASSIFICATION

The OPO ensures that complaints received are investigated in a timely, thorough, and objective manner. The office assists people who have questions regarding the actions of the Spokane Police Department. The OPO forwards complaints to IA for classification and investigation.

**OPO CLASSIFICATIONS:** The OPO defines civilian interactions in one of the following terms:

1. **CONTACT** – A contact refers to the number of times a citizen initiates interaction with the OPO
2. **REFERRED COMPLAINT** – All complaints received directly by the OPO that are not allegations against a Spokane Police Department employee. The OPO makes every effort to find the appropriate place for submission for those complaints and ensure that the citizen has the appropriate points of contact.
3. **REFERRED INTERNAL INVESTIGATIVE INQUIRY** – This is a complaint against an SPD employee that falls outside of the one year submission requirement for an OPO submitted complaint. These complaints are taken and forwarded to the Internal Affairs Lieutenant for their consideration of opening an investigation into the complained upon matter.
4. **FORMAL COMPLAINT** - 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 SPD.

After IA completes its investigation, the Ombudsman certifies whether the report is timely, thorough, and objective. Ombudsman findings may include:

1. **CERTIFIED** – The Ombudsman has certified the IA investigation as timely, thorough, and objective.
2. **CONCUR** (Investigative inquiries only) – After reviewing the complaint and associated records, the Ombudsman agrees with reclassification of complaint as an inquiry.
3. **DECLINED CERTIFICATION** – The Ombudsman has declined to certify the IA investigation as timely, thorough, and objective.
4. **MEDIATION** – The Ombudsman recommended mediation and facilitated mediation of a concern between a citizen and SPD that resolved the issue outside of an IA investigation.

**IA COMPLAINT – CLASSIFICATION OF COMPLAINTS RECEIVED:** When IA receives complaints, either directly or through the OPO, IA classifies, by case-by-case review, the complaint based on information provided in accordance with SPD Policy Manual § 1020.1.1. Complaints will either be classified as:

1. **INQUIRY** – Questions about employee conduct which, even if true, would not qualify as a personnel complaint may be handled informally by a department supervisor and shall not be considered complaints.
2. **COMPLAINT** – A matter in which the complainant requests further investigation or a department supervisor determines further action is warranted. Investigation may be conducted by a department supervisor or IA, depending on the seriousness and complexity of the investigation.
3. **SUSPENDED INVESTIGATION** – After appropriate follow-up and review by the IA Lieutenant, is not sent for review to the employee's Chain of Command or Administrative Review Panel for various reasons. See SPD Policy Manual for more details.
4. **MEDIATION** – A voluntary process that is an alternative to investigation, adjudication, and disciplinary process. Mediation requires agreement by both the officer(s) and the complainant.

**IA COMPLAINT – DISPOSITION OF COMPLAINT ALLEGATIONS:** Upon completion of investigation of allegations of misconduct or improper job performance within each complaint, each allegation is classified with one of the following dispositions by the SPD Chain of Command:

1. **UNFOUNDED** – Investigation disclosed that the alleged act(s) did not occur or did not involve department personnel.
2. **EXONERATED** – Investigation discloses that the alleged act occurred, but that the act was justified, lawful and/or proper.
3. **NOT SUSTAINED** – Investigation disclosed that there was insufficient evidence to sustain the complaint or fully exonerate the employee.
4. **SUSTAINED** – investigation disclosed sufficient evidence to establish that the act occurred and that it constituted misconduct.
5. **TRAINING FAILURE** – Deficiency in training was the cause of the alleged act.
6. **CLOSED DUE TO MEDIATION** – An alternative to investigation, adjudication, and disciplinary process.
7. **ADMINISTRATIVELY SUSPENDED** – due a number of reasons such as the employee resigned or retired or the issue was handled at the shift level.

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 OPOC.

## COMMENDATIONS RECEIVED

OPO provided 1 commendation for a SPD employee and forwarded 1 commendation from the community. The Ombudsman encountered an officer in Riverfront Park embodying the principles of community policing by stopping by a playground and showing kids the inside of his patrol car. The Ombudsman sent the commendation to then Director McDevitt. The community commendation OPO received was from a citizen whose vehicle was stolen. Although in the end, the vehicle was damaged to the extent that it was not drivable, the citizen’s takeaway was positive due to the care SPD showed to the citizen and others in the community while apprehending the suspects and recovering the vehicle.

Also, OPO issued 7 letters of appreciation to each officer with whom the OPO rode along with.

## COMPLAINTS RECEIVED

Complaints received from the community are in a general downward trend since 2013. Internal complaints peaked in 2014 and have steadily decreased since. In 2016, SPD received a total of 78 complaints (109 in 2015) against SPD employees. Of those, 66 community complaints were received, with 32 complaints generated through OPO and 34 complaints were received directly by IA, and 12 were internal complaints. The aggregate number of community and internal complaints received in 2016 is 28% lower than 2015. Community complaints decreased by 30%, while internal complaints decreased by 14%. Figure 4 illustrates the number of complaints from both the community and internally generated from 2013 through 2016.

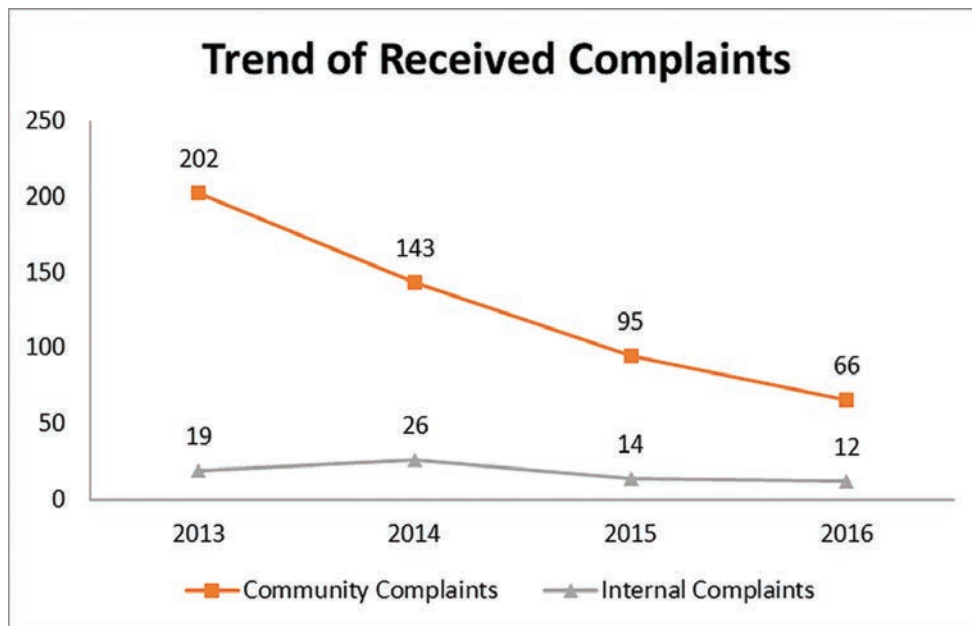


Figure 4

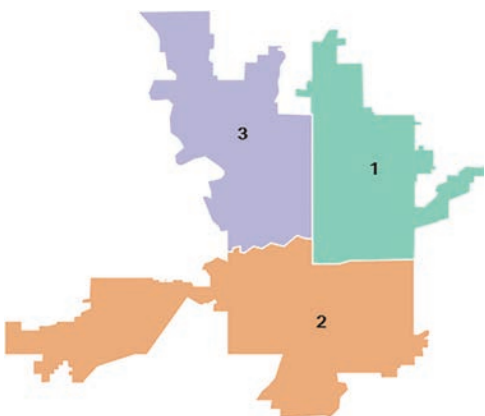


Figure 5

The OPOC received a complaint from a citizen against the Police Ombudsman while he served as the Interim Police Ombudsman. The citizen’s original OPO complaint had been pending for three years prior to the hiring of the Interim Ombudsman. In March 2016, the Interim Ombudsman reviewed the citizen’s case and offered to look further into the case if the citizen would sign an Authorization for Release of Healthcare Information which would have allowed the Interim Ombudsman to look into the matter. This was refused. After determining no further action could be taken, the Interim Ombudsman closed the case and informed the citizen that the authorization would be required in order to continue with the matter. This prompted an immediate complaint to the OPOC in May 2016. After looking into the matter, the OPOC formally responded to the citizen’s complaint affirming the Interim Ombudsman’s decision in November 2016.

The OPO categorized complaints by Council district<sup>4</sup>. See Figure 5 for Council districts. In both 2015 and 2016, most complaints occurred in District 2. Although, in 2016, complaints from District 2 decreased by 40%. Complaints received from District 1 decreased by 50%.

<sup>4</sup> For more information on Council districts, please visit <https://maps.spokane.org/?lyr=City%20Council%20District&lyr=City%20Council%20District>.

One complaint received was not assigned a district. This complaint is an anomaly since it was directed at a different agency; however the complainant could not receive recourse from the agency. Instead, the citizen was advised the only alternative was to file a complaint in the location where the agency is located. The complaint was entered for record keeping purposes only. Figure 6 illustrates where the 32 complaints received by the OPO were reported to have occurred according to district.

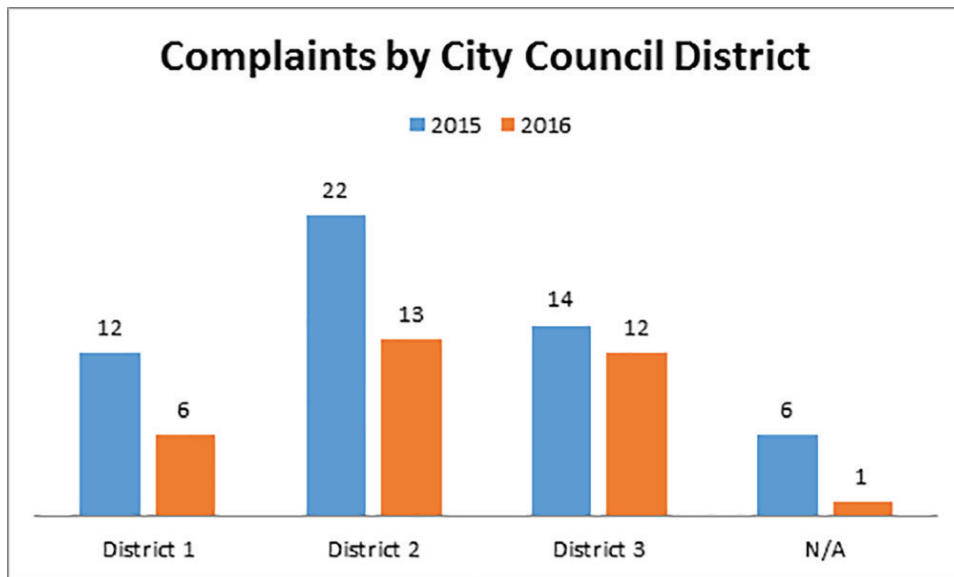


Figure 6

### MOST COMMON TYPES OF ALLEGATIONS MADE IN COMPLAINTS

The analysis provided in this report focuses on allegations made, rather than the number of complaints because allegations better capture the specific grievance of the complainant.

In 2016, the most common allegations were: Demeanor (40%) and Inadequate Response (34%).

The most common types of allegations remained unchanged from the previous year. Inadequate Response declined by 20%, while Demeanor allegations increased by 8%. The other most common allegations made were significantly lower in frequency. The most common allegations made generally declined, but Conduct Unbecoming, Policy Violation, Racial Bias, and as previously noted, Demeanor, increased. Figure 7 illustrates the most common types of allegations and the frequency of that allegation.

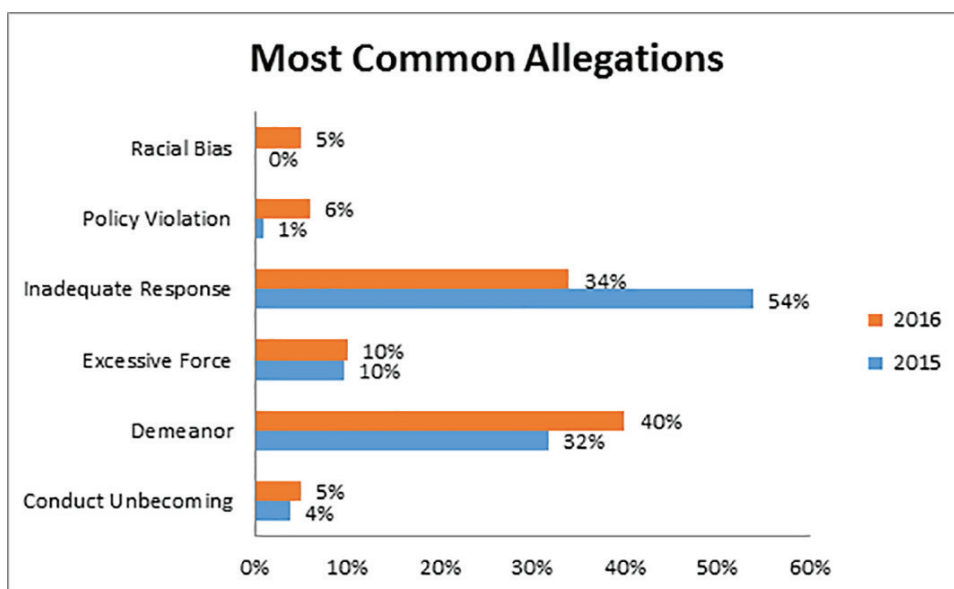


Figure 7

## TRENDS IN CLASSIFICATIONS AND FINDINGS

This section analyzes the allegations made in complaints and how SPD classified the allegations in complaints and any findings made by the chain of command.

When complaints are received by OPO or IA, IA conducts an investigation into the allegations of the complaint. If during the course of the investigation, IA determines the complaint is more a question on policy, then it is classified as an Inquiry. Or, if for one reason or another, the IA investigator pursued all reasonable leads and could not proceed with the case, then the complaint is classified as Administratively Suspended. In both instances the investigation ceases and discipline is not applicable. On the other hand, if IA completes its investigation, it sends the case and all the investigative work done to the OPO for certification and then to the chain of command for review. The chain of command reviews the investigation and then makes a determination on a preponderance of the evidence standard whether the officer committed the alleged policy violation.

In previous years there was a great disparity in the disposition of community complaints compared to internal complaints. Thus, this analysis focuses on the disposition of community allegations with internal allegations. Further, this section examines the trend in the type of discipline issued when a complaint is sustained and the difference between discipline issued for community and internal complaints.

## COMMUNITY COMPLAINTS

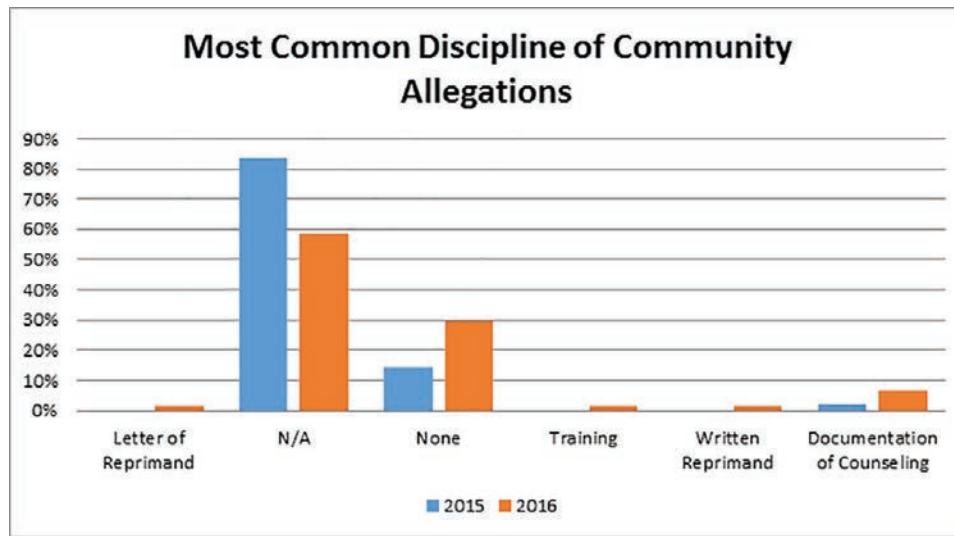


Figure 8

Of the community complaints received in 2016, 58% of allegations were classified as an Inquiry or were Administratively Suspended. Thus, they did not receive a chain of command review and discipline is not applicable. Of the community complaints that were reviewed by the chain of command, 29% of the reviewed allegations received findings of Exonerated or Unfounded, which resulted in no discipline. The chain of command sustained 14% of community allegations. Discipline which was issued for the sustained allegations included:

- 0 Suspension;
- 2 Letter of Reprimand;
- 8 Documentation of Counseling ;
- 2 Training;
- 2 Written Reprimand; and
- 1 Verbal Reprimand.

In 2015, 82% of allegations in community complaints were not reviewed by the chain of command. Of those reviewed, 14% of allegations were Exonerated or Unfounded, which resulted in no discipline. The chain of command sustained 5% of community allegations. Discipline which was issued for sustained allegations included:

- 3 Documentation of Counseling;
- 1 Suspension; and
- 2 Training Bulletins.

Figure 8 above illustrates how in both 2015 and 2016, the most common types of discipline issued on community based complaints were overwhelmingly “N/A” or “None.” Contrasting 2015 and 2016, allegations that received a chain of command review increased by 24%. This is in large part due to the return of a Police Ombudsman. The Police Ombudsman

ensured IA investigations were properly classified and that all complaints not classified as an Inquiry or Administratively Suspended were sent to the chain of command for review. This not only ensured investigations were in compliance with current policy, but also informed the executive staff on complaints being made against their officers. As a result of increased chain of command reviews, allegations of misconduct were provided closer scrutiny and the amount of sustained complaints increased by 9%.

## INTERNAL COMPLAINTS

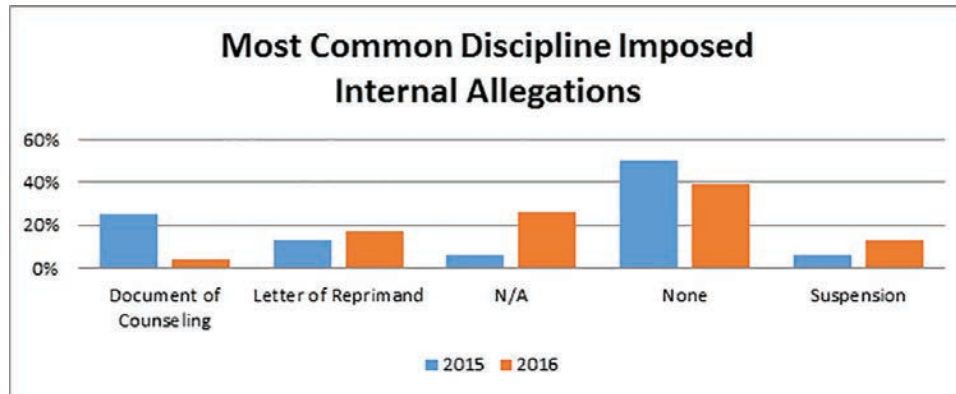


Figure 9

Of the internal complaints received in 2016, 19% of allegations were classified as an Inquiry or were Administratively Suspended, thus discipline was not applicable. 28% of allegations were Exonerated or Unfounded, which resulted in no discipline. The chain of command sustained 50% of internal allegations and 3% of allegations are still to be determined due to ongoing criminal proceedings. Figure 9 above illustrates the most common types of discipline issued in internal allegations and its frequency. Discipline issued for the sustained allegations include:

- 2 Combination of discipline (Documentation of Counseling + Training);
- 1 Documentation of Counseling;
- 4 Letter of Reprimand;
- 1 Oral Reprimand;
- 1 Required Reimbursement;
- 3 Suspension;
- 1 Training;
- 2 Verbal Counseling; and
- 1 Work Plan Improvement

In 2015, 6% of allegations were classified as an Inquiry or were Administratively Suspended, thus discipline was not applicable. 44% of allegations were Exonerated or Unfounded, which resulted in no discipline. The chain of command sustained 50% of internal allegations and 6% of allegations are still to be determined. Discipline issued for the sustained allegations include:

- 1 Combination of discipline (Verbal Reprimand + Training);
- 4 Documentation of Counseling;
- 2 Letter of Reprimand; and
- 1 Suspension

Contrasting 2015 and 2016, internal allegations that were classified as Inquiries or Administratively Suspended decreased by 13%. Internal allegations that resulted in no discipline increased from 1 incident in 2015 to 6 incidents in 2016. Letters of reprimand issued increased from 2 incidents to 4 incidents, while suspensions issued increased from 1 in 2015 to 3 in 2016.

## COMPARING COMMUNITY AND INTERNAL DISCIPLINE

There is a notable difference between the types of complaints the community makes versus internal complaints. It should be taken into consideration when examining the data that SPD employees are more likely to be aware of what constitutes a violation of policy, thus are more likely to make complaints when they will be sustained. When a citizen files a complaint, it could potentially be a complaint, a question on policy, or a general concern. A question or general concern would be classified as an Inquiry and would not be classified as a complaint. This disparity is expected in allegations that are not reviewed by the chain of command.

This analysis is based purely on numbers and does not factor in the aforementioned issues. This is only meant to provide a starting point for examining how complaints are handled. Analysis on whether sanctions issued on sustained cases are proportionate to the officer's actions could not be determined at this time since SPD does not employ a disciplinary matrix. A disciplinary matrix would provide an objective standard in which discipline is issued.

In 2016, the most notable disparity is that 88% of community allegations either received no chain of command review or resulted in no discipline. The third most employed form of discipline from community allegations is a Documentation of Counseling, only issued in 7% of the allegations made; with 2% of allegations resulting in training and another 2% resulted in a written reprimand.

If community and internal allegations are compared, 65% of internal allegations either received no chain of command review or resulted in no discipline. However, in cases where other forms of discipline are issued, internal complaints were more likely to receive a more serious type of discipline. 17% of sustained allegations received a Letter of Reprimand, 13% resulted in Suspension, and 4% resulted in a Documentation of Counseling.



Photo by James Richman

# STATISTICS OF INTEREST

SPD provided the following information for 2016 that address topics of interest in the community. For more detailed explanation, see SPD Office of Professional Accountability reports published online at <https://my.spokanecity.org/police/accountability/>.

**USE OF FORCE** – 105 incidents involved a use of force. This is a 10% decrease from 2015, with an overall decline of 29% since 2013. The most frequent applications of force were:

1. Level I Lateral Neck Restraint (LNR) – used 34 times
2. TASER – deployed 30 times in 24 non-deadly force incidents
3. Body Weight/Manual Force – used in 24 incidents
4. Intentional Pointing of a Firearm – used 18 times

Lesser used applications of force include: K9 contact, Level II LNR, Level 2 tactics (e.g. knee strikes), blunt impact munitions, baton strikes, and oleoresin capsicum spray (a.k.a. pepper spray).

**CRITICAL INCIDENTS** – SPD officers were involved in a total of 3 critical incidents.

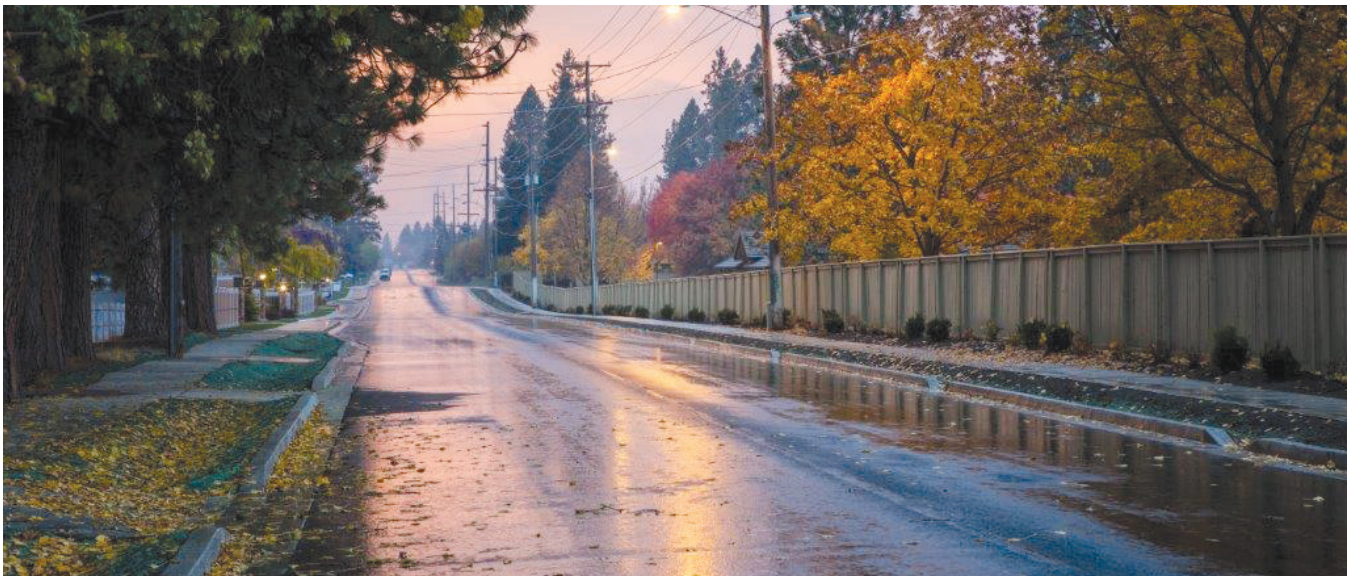
1. The incidents occurred within a short period of time. The first occurred on April 28, the second occurred on May 1st and the third occurred on May 2nd.
2. In the first case of deadly force, the subject succumbed to his injuries. In the second and third case, the subject survived the deadly force encounter
3. In each case, the Prosecutor ruled the officers' actions as justified.

**COLLISIONS** – SPD employees were involved in 40 collisions in 2016.

1. 18 collisions were determined to be Non-Preventable
2. 22 were found to be Preventable
3. One collision involved two employee vehicles and had two findings: Non-Preventable for one employee and Preventable for the other.
4. One collision resulted in a Property Damage finding. Employees who were in Preventable accidents normally received some form of discipline (e.g., Verbal Counseling, Letter of Reprimand) and/or training in some cases.

**PURSUIITS** – SPD employees were involved in a total of 26 pursuits in 2016.

1. 10 employees' actions were found to be out of compliance with policy in 2016.
2. The high number of violations of the pursuit policy demonstrated a department-wide training issue, which is being addressed at spring 2017 in-service training. Officers will receive training on pursuits and SPD's new pursuit policy.





# RECOMMENDATIONS

The Ombudsman provided 7 recommendations to SPD related to policy and/or training. The subject matter of recommendations made included:

## RECOMMENDATION #1:

### CITIZENS NEED TO BE ABLE EASILY CONTACT THE POLICE

**Summary:** In February 2016, the Ombudsman received two voicemail messages from citizens who thought they were contacting the police. One call was from a woman whose daughter's was injured after being bit by a dog and the woman didn't know what to do. The other call was a woman requesting a welfare check on her daughter who had just come out of a DV situation and recently had surgery. Both citizens thought they were contacting the police department and expected immediate service. The OPO recommended there be a clear distinction between OPO and SPD on the phone tree and there must be a simpler way for citizens to speak with a live person.

**Outcome:** Calls to SPD are now routed through the City's 311 system. The OPO was also removed from the internal SPD phone tree of the city.

## RECOMMENDATION #2:

### RELEASED BODY CAMERA VIDEOS SHOULD INCLUDE CLOSED CAPTIONING OR AN ALTERNATE FORMAT, TO BE IN COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT.

**Summary:** A concerned citizen expressed concern regarding body camera footage released to the public, primarily through public records requests. The citizen suggested closed captioning be added to any release of video footage as an alternate viewing format, in compliance with ADA guidelines. SPD would be taking a proactive stance by offering alternate format, even though this would require more time and resources. SPD should include closed captioning or another ADA prescribed alternative in all body camera footage released to the public.

**Outcome:** The Director of Strategic Initiatives has discussed with the Records Supervisor options in providing closed captioning when releasing body camera footage. SPD will keep the OPO updated on the progress of this recommendation.

## RECOMMENDATION #3:

### OPO SHOULD RECEIVE ACCESS TO BODY CAMERA FOOTAGE, NOT JUST THE OMBUDSMAN

In April 2016, the Ombudsman requested the entire OPO receive access to body camera footage in order to review complaints in a more time efficient manner. Initially, the IA Lieutenant at the time declined this request. The OPO responded to the Police Guild's request to bargain by providing legal justification and the scope in which OPO will use the body camera footage. The OPO recommended the entire office be granted access to body camera footage.

**Outcome:** SPD granted access to body camera footage on Evidence.com.

## RECOMMENDATION #4:

### PARENTS OF JUVENILE SUSPECTS SHOULD BE PROVIDED WITH INFORMATION ON THE JUVENILE AFTER ARREST

**Summary:** A non-custodial parent was provided information on the juvenile suspect while the custodial parent was not provided any information on where the police took the juvenile after arrest or what came next. The custodial parent could not determine where the juvenile was taken after arrest. This left the custodial parent with numerous questions on the various processes that took place. SPD should provide the information to both parents so they are kept in the loop on where their children are and so they know what subsequent steps they must take.

**Outcome:** SPD Policy 324.5 provides that when a juvenile is taken into custody, an officer will notify the parent or legal guardian as soon as practicable that the juvenile has been taken into custody. This recommendation was the result of a unique case. Regardless, the Chief completely supports providing information to both parents and informing both parents on what subsequent steps should be taken.

**RECOMMENDATION #5:**

**COMPLAINTS SHOULD BE PROPERLY CLASSIFIED AND REVIEWED BY THE CHAIN OF COMMAND**

**Summary:** The Ombudsman found cases were disproportionately being classified as an “Inquiry” or “Administratively Suspended” during the certification process. This did not bring finality to complaints since “suspended investigations may be reactivated.” See SPD Policy 1020. This would leave the complaint hanging over the officer when it should be closed. In one case specifically, the complainant refused to cooperate, all reasonable investigative leads were exhausted, and no evidence of wrong doing was uncovered. Body camera footage determined the complaint was false or lacked sufficient credibility to proceed. The complainant even withdrew the complaint after viewing the body camera footage of the incident. Based on current policy, a chain of command review is required in order to make findings on the allegations. A suspended case would not be reviewed, nor would it have a final disposition. Further, the chain of command would be more actively involved in the complaint resolution process, bringing greater awareness of officer action and issues that matter to the community. The OPO recommended all completed investigations be reviewed and classified by the chain of command. Further, there is great value in utilizing department implemented body camera footage for an officer’s training. Officers who are complained upon should review body camera footage of the incident with his or her supervisor for self-evaluation and training purposes.

**Outcome:** Increased chain of command reviews and shift level counseling.

**RECOMMENDATIONS #6 & 7:**

**OFFICERS SHOULD RADIO IN EVERY TRAFFIC STOP AND OFFICERS SHOULD HAVE FULLY CHARGED BATTERIES FOR THEIR BODY CAMERAS AT THE START OF EVERY SHIFT.**

**Summary:** The Ombudsman reviewed a complaint regarding a traffic officer who was conducting traffic stops without informing dispatch. First and foremost, this presents officer safety concerns. Informing dispatch of a stop made and providing the vehicle information would provide a point of contact of the officer or driver should the interaction become unfavorable. Additionally, it would document the reason for the stop should a complaint arise, as it did in this case. This should be reflected in the SPD Manual, since there is no current policy requiring an officer to report traffic stops.

**Outcome:** While it is not SPD policy to communicate every stop, it is common practice to do so. In response to the complaint that initiated the OPO’s recommendation, SPD issued a training bulleting, #16-026, on radioing in traffic stops. In regard to body cameras, officers now charge their cameras every night and they have been provided appropriate means to ensure cameras can be charged in their vehicles. Additionally, spare batteries are available to all officers in the event of a malfunction.



Photo by James Richman

# COMPLAINTS RECEIVED

OPO	IA	Complaint Summary	Incident Date	Receipt Date	District	Status	Ombudsman Findings	Chief's Findings	Officer Discipline
16-1	C16-002	An Inadequate Response complaint was received by the Office of Police Ombudsman (OPO) via walk in. Police officer did not thoroughly investigate a reported break in.	1/8/2016	1/8/2016	3	Closed as Investigative Inquiry	Concur	N/A	N/A
16-2	C16-003	A Driving complaint was received by OPO via web form. Complainant witnessed police disobeying traffic laws without active emergency lights.	1/11/2016	1/11/2016	2	Closed as Investigative Inquiry	Concur	N/A	N/A
16-3	C16-010	An Inadequate Response complaint was received by OPO via interview. Complainant called the police 2x (waited over 2 hours) before police arrived.	2/11/2016	2/15/2016	1	Closed as Investigative Inquiry	Mediated	N/A	N/A
16-4	C16-007	A Failure to complete a report was received by OPO via web form. Complainant was referred to make complaint in Spokane by Department of Corrections for his complaint against a former DOC officer for perjury and excessive force. Outside OPO jurisdiction, but entered for the record.	Various (beyond 1 year)	1/19/2016	N/A	Closed as Investigative Inquiry	Concur	N/A	N/A
16-5	C16-011	An Excessive Force complaint was received by OPO via web form. Complainant's boyfriend was on foot and pinned against a building by police car.	1/28/2016	2/15/2016	1	Closed as Investigative Inquiry	Concur	N/A	N/A
16-6	C16-012	An Inadequate Response complaint was received by OPO via web form. Complainant called 911 2x before receiving a response and when the police arrived, his investigation at the scene was inadequate	1/22/2016	2/16/2016	1	Closed as Investigative Inquiry	Concur	N/A	N/A
16-7	C16-014	An Inadequate Response complaint was received by OPO via interview. Complainant received less than satisfactory customer service at front desk when attempting to speak with IA.	2/17/2016	2/18/2016	3	Closed as Investigative Inquiry	Concur	N/A	N/A
16-8	C16-018	An Abuse of Authority, Demeanor, False Reporting, False Statements, and Make Misleading Statement with Intent to Deceive complaint via web form. Complainant alleges an officer has abused position to remove undesirable people from the officer's residential neighborhood. Officer allegedly intentionally used wrong contact info and made statements that rose to the level of perjury.	12/15/2015	2/18/2016	3	Administratively Suspended	Concur	N/A	N/A
16-9	C16-017	A Failure to take Complaint complaint was received by OPO via web form. Complainant was excluded from businesses and officer refused to take complaint.	11/15/2015	2/23/2016	1	Closed as Investigative Inquiry	Concur	N/A	N/A
16-10	C16-023	A Conduct Unbecoming and Demeanor complaint was received by OPO via web form. Complainant alleges he was harassed and made fun of by an officer for having cancer and being indigent.	3/13/2016	3/13/2016	3	Administratively Suspended	Concur	N/A	N/A

OPO	IA	Complaint Summary	Incident Date	Receipt Date	District	Status	Ombudsman Findings	Chief's Findings	Officer Discipline
16-11	C16-028	An Inadequate Response and Demeanor complaint was received by OPO via web form and email (duplication). Complainant alleges an officer refused to assign an investigator to the case because it was a civil matter, while complainant believes it is a criminal matter. The demeanor portion of the complaint goes to the interaction over the phone between the complainant and the officer, ending with the officer hanging up on the complainant.	4/4/2016	4/4/2016	2	Administratively Suspended	Concur	N/A	N/A
16-12	C16-029	A Demeanor complaint was received by OPO via walk in. Complainant alleges he had valid concerns that were not addressed upon going to the Public Safety Building to seek assistance; instead he was made to feel like a liar and thrown out of the building.	4/5/2016	4/6/2016	3	Administratively Suspended	Concur	N/A	N/A
16-13	C16-032	A Biased Policing complaint was received by OPO via interview. Complainant alleges being personally targeted for creating chalk art on sidewalks in violation of protected First Amendment rights to free speech. Complainant was issued a citation while another chalk artist was not. The citation was preprinted, complete with complainant's information, prior to citation. Lastly, citation incorrectly checked off box for matching photo ID when complainant alleges identification was not checked.	4/8/2016	4/11/2016	2	Closed as Investigative Inquiry	Concur	N/A	N/A
16-14	C16-039	A Demeanor and Inadequate Response complaint was received by OPO via web form. Complainants purchased a home that was stripped of its fixtures. Complainants were contacted by a detective. Complainants allege the detective was rude and threatened the complainants.	5/10/2016	5/11/2016	3	Closed	Certified	Unfounded / sustained	Letter of reprimand
16-15	C16-040	A Demeanor, Harassment, and False Reporting complaint was received by the OPO via web form. Complainant alleges an officer harasses the complainant, makes false reports regarding the complainant, and does not thoroughly investigate incidents involving the complainant.	Various	5/19/2016	3	Closed	Declined to certify	Unfounded	None
16-16	C16-044	A Demeanor complaint was received by OPO via USPS. Complainant alleges an SPD employee was unprofessional in interacting with the complainant.	Various	6/15/2016	3	Administratively Suspended	Declined to certify	N/A	N/A
16-17	C16-045	An Inadequate Response complaint was received by OPO via intake interview. Complainant alleges SPD's failure to detect and timely respond to the incident resulted in the complainant and members of the complainant's group to be assaulted.	6/11/2016	6/21/2016	2	Closed as Investigative Inquiry	Concur	N/A	N/A

OPO	IA	Complaint Summary	Incident Date	Receipt Date	District	Status	Ombudsman Findings	Chief's Findings	Officer Discipline
16-18	C16-046	A Demeanor complaint was received by the OPO via web form. Complainant was pulled over by a white unmarked truck. Complainant alleges being tailgated and the stop was conducted in a hostile manner. Complainant is unsure whether the officer is a member of SPD.	6/20/2016	6/20/2016	2	Administratively Suspended	Concur	N/A	N/A
16-19	C16-048	A Conduct Unbecoming and Inadequate Response complaint was received by the OPO via intake interview. Complainant alleges being denied medication after being arrested.	6/17/2016	6/24/2016	3	Closed as Investigative Inquiry	Concur	N/A	N/A
16-20	C16-052	A Demeanor and Unlawful Search complaint was received by the OPO via intake interview. Complainant was stopped by police during a traffic stop. Complainant alleges being detained for a long time, with officers acting in an aggressive and unprofessional manner. Complainant further alleges another officer searched the complainant's car over the complainant's objection.	6/30/2016	7/1/2016	2	Administratively Suspended	Concur	N/A	N/A
16-21	C16-053	A Demeanor and False Reporting complaint was received by OPO via referral. Complainant alleges an officer's demeanor was improper after the officer responded to a car accident. Complainant further alleges possible fraud in the police report.	7/3/2016	7/6/2016	1	Administratively Suspended	Concur	N/A	N/A
16-22	C16-054	A Demeanor complaint was received by OPO via intake interview. Complainant witnessed officers allegedly hurting a black male despite the male's compliance and repeated requests for the officers to stop hurting him. Complainant alleges seeing unnecessary force and hearing officers refuse to search the man's bag while making racial slurs.	5/6/2016	6/24/2016	3	Closed	Certified	Exonerated Unfounded	None None
16-23	C16-058	An Inadequate Response complaint was received by OPO via web form. Complainant received word from an unidentified officer that the complainant's stolen car was spotted in Northtown Mall. By the time the complainant responded to the scene, the car was missing. Complainant believes had the officer waited for the complainant to respond, additional cost to recover the car would have been avoided.	8/5/2016	8/8/2016	1	Closed as Investigative Inquiry	Concur	N/A	N/A
16-24	C16-063	A Demeanor complaint was received via walk in. Complainant alleges a security guard at River Park Square represented him/herself as "with SPD." Complainant further alleges being threatened by one of the security guards.	9/9/2016	9/9/2016	2	Administratively Suspended	Concur	N/A	N/A

OPO	IA	Complaint Summary	Incident Date	Receipt Date	District	Status	Ombudsman Findings	Chief's Findings	Officer Discipline
16-25	C16-064	A Demeanor and Inadequate Response complaint was received via email, USPS, and fax (duplication). Complainant reported continuous unlawful entry into the complainant's home. The complainant alleges the responding officer's demeanor was inappropriate and the officer did not thoroughly investigate the incident. Complainant filed a subsequent related complaint regarding SPD's involving FBH.	Various	8/25/2016	2	Closed as Investigative Inquiry	Concur	N/A	N/A
16-26	C16-065	An Inadequate Response complaint was received by OPO via intake interview. Complainant was trespassed from a building and SPD was contacted to deliver a report to FBH. Complainant would like to know how FBH became involved and why complainant was not contacted to verify the contents of SPD's report prior to submitting to FBH. Complainant doesn't believe there is an incident report around being trespassed and would like to know where the report is.	9/16/2015	9/12/2016	2	Closed as Investigative Inquiry	Concur	N/A	N/A
16-27	C16-069	An Improper Driving complaint was received via web form. Complainant alleges a police cruiser was parked illegally at emergency parking at Deaconess Hospital.	8/30/2016	8/31/2016	2	Closed	Certified	Exonerated	N/A
16-28	C16-070	A Demeanor and Biased Policing complaint against 3 officers was received by OPO via intake interview. Complainant is a business owner who had an issue with a customer. Customer called for police assistance. Complainant alleges the responding officers bullied the complainant and made the complainant feel like a criminal. Complainant also filed a related complaint to the business when an officer responded to theft. Complainant alleges the officer's demeanor made the employee feel like an insubordinate child. The complainant feels as if the employee was made to feel like the culprit.	Various	10/10/2016	3	Closed	Certified	Sustained Sustained Unfounded	Letter of reprimand Documentation of Counseling None
16-29	C16-071	An uncategorized complaint was received by OPO via walk in. Complainant wishes to compel SPD to explain why the complainant was arrested.	9/25/2016	9/28/2016	2	Administratively Suspended	Concur	N/A	N/A

OPO	IA	Complaint Summary	Incident Date	Receipt Date	District	Status	Ombudsman Findings	Chief's Findings	Officer Discipline
16-30	C16-072	A Demeanor and Inadequate Response complaint was received by OPO via referral. Complainant confronted a minor who complainant believes stole the neighbor's mail. Complainant alleges the minor pulled out a chrome ruler and the complainant drew his/her weapon in response. After complainant agreed to let the minor go, an officer pulled up and accused the complainant of pulling a gun on a minor and a gun on a ruler. Complainant identified 2 other officers on scene, neither of whom attempted to retrieve the stolen mail.	10/6/2016	10/13/2016	2	Closed	Certified	Exonerated	None
16-31	C16-074	A Demeanor and Unlawful Arrest complaint was received by OPO via USPS. Complainant was arrested and alleges officers knowingly arrested the wrong person. Complainant further alleges the officers who initially approached the complainant were rude.	8/17/2016	10/26/2016	3	Administratively Suspended	Concur	N/A	N/A
16-32	C16-067	A Demeanor complaint was received by OPO via referral. Complainant alleges a detective made rude comments toward the complainant. The complainant was also displeased with the response time to the complaint.	4/18/2016	9/27/2016	2	Closed	Certified	Not sustained	None



# FAQ Office of Police Ombudsman Frequently Asked Questions

## 1. What do I do if I'm stopped by the police?

The ACLU of Washington State has created a publication with tips on how to handle a police encounter. The handy wallet-sized "What to do if You're Stopped by the Police" card can be printed and carried with you or you can view the information in a larger format. This can be found on our website or at our office.

## 2. How do I file a complaint?

You can file a complaint in writing, via fax, online or by visiting our office in person.

## 3. Is there a time limit?

The Office of Police Ombudsman has adopted a one-year statute of limitations and must receive complaints within twelve months of the alleged misconduct.

## 4. Is there a cost involved?

There is no charge for using the services of the Office of Police Ombudsman.

## 5. Can I compliment an officer?

Yes, you can file a commendation in writing, via fax, online or by visiting our office in person.

## 6. How is the investigation handled?

When you contact our office, details of your complaint will be received by the Ombudsman and forwarded within 3 days to the Internal Affairs Division of Spokane Police Department for investigation. After a timely, thorough and objective investigation by the Police Department, the investigation will be returned to the Ombudsman to certify within 5 days of receipt that the report is thorough and objective. Once certified, the report is returned to the Office of the Chief of Police for disposition.

This process is outlined in the Office of Police Ombudsman Complaint Flow Chart, which can be found online.

## 7. Will I know the results?

Yes. You will be contacted in writing by the Ombudsman or the Chief of Police once the investigation is completed.

## 8. What problems does the Ombudsman deal with?

If you feel an employee of the Spokane Police Department did not treat you properly or violated a policy, you may contact our office with your concerns.

## 9. Are there matters that cannot be investigated?

The Ombudsman has jurisdiction regarding the City of Spokane Police Department and cannot investigate complaints outside this jurisdiction.

## 10. Can the Ombudsman get my charges dropped?

The Ombudsman's office cannot give legal advice or assist with a person's criminal defense.

## 11. What if I have a concern or want to ask a question?

The Ombudsman is ready to answer any question a person might have about Spokane Police Department activities.

## 12. What if I have already filed a complaint with the Spokane Police Department?

If you filed a complaint with the Spokane Police Department before contacting the Office of Police Ombudsman, we ask that you wait until the Police Department has completed their investigation into your complaint. Once you receive notice that the Police Department has closed your case and if you are not satisfied with the outcome of their investigation, you may contact the Office of Police Ombudsman to discuss your concerns.



808 W. Spokane Falls Blvd.  
Spokane, Washington 99201  
Phone: (509) 625-6742  
Fax: (509) 625-6748

City of Spokane  
Office of Police Ombudsman

E-mail: [spdombudsman@spokanecity.org](mailto:spdombudsman@spokanecity.org)  
Facebook: [SPDOmbudsman](https://www.facebook.com/SPDOmbudsman)  
Twitter: [@SPD\\_Ombudsman](https://twitter.com/SPD_Ombudsman)



[www.SPDOmbudsman.org](http://www.SPDOmbudsman.org)