OMBUDS CLOSING REPORT

POLICY AND PROCEDURES REPORT AND RECOMMENDATIONS

OFFICE OF THE
POLICE OMBUDS
INDEPENDENT CIVILIAN OVERSIGHT

This report was authored by Bart Logue, Police Ombuds. The Office of the Police Ombuds (OPO) presented this report to the Office of the Police Ombuds Commission on February 17, 2026.

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Executive Summary

This report reviews an incident in which Spokane Police Department (SPD) officers contacted an individual involved in a stabbing who then fled on foot. During the effort to detain the individual, officers used multiple force options including intentional vehicle contact during the attempted arrest, multiple TASER deployments, and intentional pointing of a firearm. SPD completed supervisory reviews of the incident and followed the protocols for use of force reporting.

This report does not evaluate whether officers acted properly or were in compliance with policy. Rather, this report identifies a policy classification and review routing gap related to intentional vehicle to person contact. Current SPD policy allows such conduct to be evaluated as a collision or intermediate force tactic, rather than as deadly force, resulting in inconsistent investigative pathways and safeguards.

To address that gap and improve clarity, consistency, and accountability, this report recommends: (1) defining intentional vehicle to person contact (including attempted contact) as deadly force within SPD's use of force policy; (2) operationalizing that definition in SPD's pursuit policy so it cannot be treated as a forcible stop tool aimed at people; (3) ensuring deadly-force routing, reporting, and administrative review are initiated consistently regardless of injury; and (4) preventing collision investigations of uses of force by clarifying the relationship between traffic collision investigations and use of force processes.

Staff Information

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

Lissa Mascio, *Deputy Police Ombuds*

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

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

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

Attestation

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

Mission, Authority, and Purpose

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

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

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

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

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

Required Disclosures

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

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

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

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

F25-033

Procedural History

This incident occurred on July 20, 2025. The incident was reviewed by SPD as a use of force incident involving multiple applications of force. Two officers utilized a TASER during this incident, one officer utilized their patrol vehicle in an attempt to pin a pedestrian against a fence twice, and one officer intentionally pointed their firearm. Supervisor D was the final reviewer and made the final determination on September 30, 2025.[2] The case was reviewed by the Use of Force Review Board on Nov 11, 2025.

The OPO's summary of facts are based upon a careful review of reports, BWC footage, the chain of command review, and participation in the Use of Force Review Board. This closing report provides an analysis of issues identified through the chain of command review and review board processes, which allow for a policy and procedures report.

OPO Summary of Facts

Incident

On 07/20/25 at approximately 12:13 pm, Spokane Police were dispatched to 2609 E Sanson Ave for a domestic violence stabbing after the complainant/victim reported their adult child had stabbed them twice in the abdomen and then fled on foot. This occurred in a dense residential neighborhood about a block from James J. Hill Park around midday on a Sunday.

Dispatch relayed a description of the subject to officers including clothing (black tank top, tan Carhartt shorts/pants, white Nike shoes, and a large black backpack) and further relayed that the subject still had a knife on their person and was likely high on methamphetamine and fentanyl. Multiple officers responded to the incident.

Victim/witness account

After officers were advised the subject was detained, Officer A arrived at 2609 E Sanson and found the victim already loaded into an AMR ambulance being treated. Officer A rode with the victim to the hospital in the ambulance while obtaining her statement. The victim stated that their adult child had been acting like they were high for several days and that the confrontation escalated when asked whether they planned to go to work. The victim then reported that the

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

subject began packing a black backpack with knives (a set of 6), wrenches, and other tools/items, made threats while holding a knife, and continued to yell and scream various profanities.[3]

The victim reported that the subject had punched them in the face and when another family member stepped between them, the subject attempted to stab them. The victim then intervened and was stabbed twice in the abdomen with what they recognized as a steak knife with a silver blade and handle. After being stabbed, the victim watched the subject run out the back gate of their yard and before calling 911.[4]

Flight, perimeter, and detention sequence

Officers initially located the subject near Lacey/Joseph. The subject immediately fled, pulling officers into a foot pursuit through alleys and yards. Officers gave the subject repeated commands to stop and get on the ground.[5] During the chase, Officer B described a brief "pause" across from a wire fence where the subject stopped. Officer B drew their firearm and gave commands to drop the knife and get down.[6] Officer B wrote in their report that the subject appeared drug-affected and "wide eyed," scanning for exits, but was not a direct lethal threat to them at that moment because of the separation. Because of that, Officer B attempted to obtain compliance and began transitioning to their TASER before the subject ran again.[7]

Officers arriving to assist with containment described hearing over the radio that Officer B had located the suspect and that they were running through alleys/yards. Officer C then observed the subject flee onto E Nebraska and tracked them in a marked patrol vehicle with emergency lights activated and using short bursts of the siren as the subject continued to evade police.[8]

Officer C stated that the subject fell at E Nebraska Ave / N Lacey St and then got back up. At that point, Officer C observed at least one knife in the subject's hands and gave commands to drop it, which the subject initially refused.[9] Officer C additionally observed the subject state "why am I always the bad guy!" and then throw two knives west over/near the residence at 5705 N Lacey St, before continuing to run from officers.[10]

Officer B framed the next decisions around public safety in their report. Even after some knives were thrown, Officer B remained concerned that the subject could still be armed and that continued flight through a residential area with people nearby increased the risk of the subject harming civilians or forcing officers into a lethal encounter.[11] Officer B was following the subject on foot and continually gave commands to stop and attempted to deescalate the situation to gain

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[3] Officer A's Field Case Report, case 2025-20146107 at 2 (July 20, 2025).
[4] *Id.*
[5] Officer B's Field Case Report, case 2025-20146107 at 2 (July 20, 2025).
[6] Officer B's BWC at 3:45.
[7] Officer C's Field Case Report, case 2025-20146107 at 2 (July 20, 2025).
[8] Officer C's BWC at 1:20.
[9] Officer C's Field Case Report, case 2025-20146107 at 2 (July 20, 2025).
[10] *Id.*
[11] Officer B's Field Case Report, case 2025-20146107 at 2 (July 20, 2025).

voluntary compliance.[12] Officer B repeatedly gave the subject commands to lie down, and warned that "Force would be used against" them if they did not comply.

As this was occurring, Officer D was responding in their patrol vehicle. Officer D decided to attempt to use their patrol vehicle to pin the subject against a fence in order to stop them. Officer D explained in their report that they escalated to using his patrol vehicle because the subject was an actively fleeing stabbing suspect, believed to be still armed with knives, was refusing commands, and running through a residential neighborhood with citizens present. Officer D stated that they feared the subject could stab officer potential triggering a shooting or encounter a civilian or enter another residence if they escaped.[13] Officer D also noted a tactical constraint shaping that decision stating that because the subject's backpack covered much of their back, Officer D believed a TASER shot from behind was "highly unlikely to succeed."[14]

Officer D reported that he drove his patrol car onto the sidewalk behind the subject and attempted to pin them against a fence to stop the flight describing the contact as low speed. This is most easily seen on Officer B's BWC[15] as the patrol vehicle struck the subject from behind. The subject did not fall; rather, kind of bumped off the push bar and continued to run, increasing their speed.[16]

At that point, Officer B ran to chase the subject directly behind them. Officer B attempted to utilize their TASER but it was ineffective.[17] Officer B's first TASER attempt was ineffective because one probe placement hit the subject's shoulder and the other hit the backpack preventing a completed circuit. At one point, Officer B is seen holding their pistol in their right hand and their TASER in their left hand.[18] This occurs for only a few seconds after the initial TASER attempt while Officer B continued to chase the subject.[19] Officer B recognized the potential issue and mitigated it by purposefully holding their firearm down and indexed while running.[20] Officer B described using the TASER as a "least amount of force" way to stop an armed, mobile suspect without escalating to a shooting or a dangerous hands-on fight.[21] Officer B also detailed the reasons for their weapon-handling during this transition stating that because they were running they could not safely re-holster immediately. Officer B stated that they re-holstered as soon as they stopped so they would not have a firearm and TASER out simultaneously.[22]

Because the initial attempt to stop the pedestrian did not work, Officer D drove around the corner and repositioned for a second attempt as the subject ran west on E Columbia parallel to a

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[12] Officer B's BWC at 3:55 – 4:28.
[13] Officer D's Field Case Report, case 2025-20146107 at 2 (July 20, 2025).
[14] *Id.*
[15] Officer B's BWC at 4:29.
[16] *Id.* at 4:30.
[17] *Id.* at 4:33. Officer B extends their left arm to utilize the TASER and pulled their right hand back holding the firearm.
[18] *Id.* at 4:34 – 4:36. At 4:35, Both the TASER and the Firearm are pointed at the subject while running.
[19] *Id.* at 4:36.
[20] Officer B's Field Case Report, case 2025-20146107 at 2 (July 20, 2025).
[21] *Id.* at 3.
[22] *Id.* at 2.

chain-link fence. Officer D accelerated their vehicle onto the sidewalk,[23] striking them with the left front push bar on the driver's side of the vehicle, directing them into the fence and through the gate.[24] The pinning was momentary as it occurred at a gate in the fence, and the subject went through the gate and then entered the yard at 2628 E Columbia.[25]

At this point, Officer B utilized their TASER again successfully striking the subject in the face and body, causing the subject to fall to the ground. However, the electrical connection[26] was interrupted as the subject fell to the ground and a dart came out. At that point, the subject sat on the ground as multiple officer's gave commands.[27] Simultaneously, Officer E adopted a lethal cover role while other officers worked less-lethal options.[28] Although there was a fence between Officer E and the subject; Officer E climbed over it because they feared the subject could run into the residence and the fence would prevent him from stopping that movement, and it was unknown whether the residence was occupied.[29]

Officer D moved up onto the wheelchair ramp behind the subject giving them a height advantage and positioned themself between the subject and the residence entrance. Officer D told the subject three times to go face down or they would by tased while they were in this position. Officer D saw a metal object in the subject's left pocket and warned officers about it.[30] Officer E intentionally pointed in their firearm at the subject as they began to reach for their pocket yelling out "Don't reach, do not reach."[31] At that moment, the subject reached down towards their pocket and Officer D fired their TASER, striking the subject in the left shoulder and the neck.[32] At that point, Officer D's TASER powered off and did not deliver the intended cycle. Officer D manipulated the On/Off switch of the TASER several times until it powered on and the 5-second cycle ran.[33] The subject remained seated but did not complying with officer commands at this time. After the cycle completed, the subject complied by rolling to their stomach, remaining prone with their arms out, and allowing officers to place them into handcuffs.[34]

After the subject was in custody, paramedics were called in to provide aid. Officer B reported that the subject complained about the TASER dart in his neck and wanting water, but had "no other pains or complaints."[35] After the arrest, Officer F reported locating one "silver steak knife" with the blade in the ground and another near a fireplace in the yard of 2621 E Joseph Ave before

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[23] Officer B's BWC at 4:39.
[24] *Id.* at 4:40.
[25] *Id.* at 4:42.
[26] Neuromuscular Incapacitation.
[27] *Id.* at 4:43.
[28] Officer E's Field Case Report, case 2025-20146107 at 2 (July 20, 2025).
[29] *Id.*
[30] Officer D's BWC at 7:31.
[31] Officer E's BWC at 5:04.
[32] Officer D's BWC at 7:33.
[33] *Id.* at 7:45.
[34] *Id.* at 7:51 – 8:17.
[35] Officer B's Field Case Report, case 2025-20146107 at 5 (July 20, 2025).

photographing them, bagging them separately, and transferring them for booking into property.[36]

Review

The following summaries describe supervisory findings and reasoning. These summaries are included to document SPD's review framework and decision pathways and are not endorsements or critiques of individual determinations.

Supervisor A Review

Supervisor A wrote an extensive review[37] on all instances of force used and arrived at their suggested finding of "In Compliance with Policy" for all uses of force. Supervisor A noted the following elements to arrive at their suggested findings:[38]

Officer B TASER Deployment[39]

- Officer B had valid probable cause to arrest the subject for Assault 1st Degree DV. The subject also made several attempts to evade law enforcement while disobeying lawful commands to surrender.
- Per Policy 308.8.4, "The TASER device may be used when the circumstances perceived by the officer at the time indicate that such application is reasonably necessary to control a person who is demonstrating non-compliance perceived as assaultive."
- After the attempted vehicle pin by Officer D, Officer B pursued the subject on foot out of concern that the subject was potentially armed with other weapons and the proximity of residents.
- Officer B feared they would likely be assaulted by the subject if they were not apprehended and chose to deploy [their] TASER.
- Officer B believed the subject was still armed.
- If Officer B decided to go hands on with the subject, it would have placed Officer B at a significant disadvantage. The option of the TASER creates a safer distance with the likelihood of minimal injury to the subject.

Supervisor A also annotated areas of tactical improvement regarding officer distance from the subject as well as having both a TASER and a firearm deployed at the same time.

Officer B Second TASER Deployment[40]

- Officer D's second vehicle pin caused the subject to go through a gate into the front yard of a house. The subject continued running towards the front door of the house.
- Officer B deployed their TASER a second time fearing the subject would attempt to enter the residence.

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[36] Officer F's Field Case Report, case 2025-20146107 at 2 – 3 (July 20, 2025).
[37] Supervisor A's Supervisor Review for 2025-20146107 (July 21, 2025).
[38] These elements are not all-inclusive nor direct quotes. For full context, refer to Supervisor A's Supervisor Review for 2025-20146107.
[39] Supervisor A's Supervisor Review for 2025-20146107 at 3 (July 21, 2025).
[40] *Id.* at 4.

- As Officer B pulled the TASER trigger, the subject moves his body causing the upper dart to strike his left cheek. It does not appear Officer B was aiming for the subject's face, and they did not have any alternative options to stop him from running towards the front door.
- The second TASER deployment was briefly successful and caused the subject to fall to the ground; however, when the subject does, it appears the lower dart comes off and breaks the connection.
- The information from the first TASER deployment was still valid.

Supervisor A also provided comments regarding the TASER dart strikes and provided context to the moving subject.

Vehicle Pin[41]

Supervisor A wrote the following regarding the totality of the circumstances for the vehicle pin:[42]

- Severity of crime: Two counts of 1st Assault DV, an extremely egregious crime likely to produce seriously bodily harm or death. In this case, the subject stabbed their parent twice with an ice pick and attempted to stab another family member with an ice pick.
- Immediacy of the threat: The subject posed an immediate threat to officers and bystanders in the area. As noted by Officer D, "2609 E. Sanson is in the middle of a residential neighborhood approximately 1 block away from James J. Hill Park. This stabbing took place on a Sunday at approximately 1200 hours in the afternoon on a clear day and the likelihood of residents and children being outside is high" and "I passed James J. Hill Park and observed several people in the park". Officer D feared the subject was going to stab the officers nearby or a resident in the area if the subject was not stopped.
- Actively resisting arrest: The subject refused to comply with numerous commands from officers and ran from officers during their first encounter.
- Time available: The situation was rapidly evolving and tense as the subject continued to flee in residential area armed with multiple weapons. Officer D was limited on time to make a decision.
- Proximity to weapons: According to Officer D, he believed the subject was still armed with multiple knives either in his pockets or in his backpack. The victim confirmed the subject was armed with multiple knives.
- Substance use: The victim confirmed the subject was under the influence of illicit drugs. Based on training and experience, there is a greater risk of violent behavior associated with drug use to include unpredictable, erratic, violent, or paranoid behavior which can lead to serious injury or even death.
- Other considerations: The subject had their backpack on reducing the likelihood the TASER would be effective; the back is the ideal location for a TASER deployment. Had the subject attempted to stab officers or others, it would most certainly result in an officer involved shooting. Officer D attempted to use his vehicle to stop the subject attempting to avoid an OIS.

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[41] *Id.* at 5.
[42] *Id.* at 5 and 6.

Second Vehicle Pin[43]

- For all the reasons stated earlier, Officer D attempted a second pin in order to get ahead of the subject and use the vehicle to block the subject in and prevent any further escape.
- What I observed on Officer B's body worn camera is consistent with what Officer D wrote in their report.
- Supervisor A stated that they believed the totality of the circumstances stated above could have warranted deadly force; however, Officer D used his vehicle differently using it as the least amount of force necessary available to him to stop the subject and avoiding deadly force altogether.

Supervisor A provided further comments on the minimal injuries sustained by the subject and treatment solely for the TASER deployments.

Officer D TASER Deployment[44]

- Officer D had probable cause to arrest the subject for two counts of Assault 1st Degree DV and obstructing.
- The subject made several attempts to evade law enforcement while disobeying lawful commands to surrender.
- Officer D advised the other officers present that the subject still had a knife in their pocket.
- The subject then began to reach for the knife.
- Officer D perceived that the subject's actions and non-compliance were assaultive.
- Officer D believed that they or other officers on scene could have been assaulted.

Supervisor A provided further comment on the strike placement of the TASER darts as well as the perceived malfunction of the TASER itself.

Intentional Pointing of a Firearm[45]

- Officer E heard from another officer that the subject was still armed with a knife.
- The suspect was sitting in the front lawn of 2628 E Columbia Ave, approximately 20-30 feet from the front door.
- The subject suddenly reached their hand toward their back waistband."
- The waistband is a common area for people to store and conceal weapons to include knives and firearms.
- Officer E lowered their firearm when the subject moved their hand away from their waistband.
- Officer E gave clear verbal instructions to the suspect to not reach.

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[43] *Id.* at 6 and 7.
[44] *Id.* at 4 and 5.
[45] *Id.* at 2 and 3.

- Officer E made the conscious decision to intentionally point their firearm at the suspect fearing an imminent threat that the suspect would use the knife against them or other officers present.

Additional Supervisor Review

Supervisor B

Supervisor B noted the following additional comments[46] in arriving at their suggested findings of "In Compliance with Policy:"[47]

- I concur with Supervisor A's assessment of the use of force in regards to Officer B's use of the TASER.
- I also concur with Supervisor A's assessment of Officer D's use of the patrol vehicle to attempt to restrain the subject's movements.
- It is clear Officer D utilized reasonable caution to avoid causing injury to the subject.
- In addition to the reasons provided by Supervisor A in their assessment, Officer D's body worn camera video shows them steering towards the subject and then quickly away as if to avoid hard contact with the subject.
- Had officer D intended to utilize the vehicle in a deadly force capacity, they would have driven directly at the subject and then propelled the vehicle over them.

Supervisor B took the additional step to count Officer D's use of the TASER as two separate uses of force providing the following reasons:[48]

- The initial probe deployment was in response to the subject reaching for, what Officer D believed to be, a knife in their pocket. The TASER process, however, was interrupted.
- A review of Officer D's TASER log shows Officer D inadvertently reengaged the safety while pressing the trigger.
- Each of the arc button presses were completed while the safety was engaged until the final arc button press which delivered the five second pulse.
- Just over 12 seconds elapsed from when the initial probes are deployed from Officer D's TASER to when the probes are reenergized. This creates a second and distinct use of force.
- While the timing appears to be inadvertent and despite the subject being seated on the ground, they were still armed and refusing lawful commands to lay down prone.
- Also, Officer B ordered the suspect not to reach for "it". All of these could be taken to believe the subject was attempting to access a weapon and was still an active threat to the Officers.

Supervisor B recommended some additional familiarity training for the TASER platform and also noted that the TASER 10 would be the subject of the upcoming in-service training as SPD replaces

[46] Supervisor B's Supervisor Review for 2025-20146107 (Aug 30, 2025).
[47] These elements are not all-inclusive nor direct quotes. For full context, refer to Supervisor B's Supervisor Review for 2025-20146107.
[48] *Id.* at 1 and 2.

the TASER 7. Supervisor B further addresses a uniform issue with Officer D. Finally, Supervisor B comments on tactical considerations with Officer E entering the yard instead of using the fence as a barrier.

Supervisor C

Supervisor C noted the following[49] in arriving at their suggested findings of "In Compliance with Policy:" [50]

- I agree with Supervisor A and Supervisor B. Both addressed issues with tactics and failure by Officer D to properly activate the TASER.

Supervisor C provided additional comments regarding the use of a patrol vehicle as an impact weapon.

- Based on what Officer D knew at the time and the totality of the circumstances, the subject posed a lethal threat to others, having just committed 1st degree assault and was reasonably believed to be armed.
- The location and time of day created a legitimate concern for officers that the subject could be a lethal threat to citizens in the area.
- The subject was provided with the opportunity to comply and refused.
- When reviewing Officer D's statement and body camera video, Officer D makes clear that they were not intending on deploying deadly force.
- With that said, based upon the totality of the circumstances, the use of deadly force in such a situation may be reasonable due to the severity of the crime and the risk to others.

Supervisor C also addressed a deficiency in policy, stating:

- I do not believe the use of a vehicle in this manner should be recommended. I recommend that policy be amended to reflect the use of a vehicle versus a pedestrian should only be considered if the intent is to deploy deadly force.[51]

Supervisor C also listed a suggested finding of in compliance with police for intentional pointing of a firearm for Officer F. This was not addressed in reports or other supervisory reviews as a use of force. A careful review of Officer F's BWC does show a motion of raising the firearm up momentarily, less than a second, as the subject enters the gate of the residence. However, a frame-by-frame review is unable to confirm if the firearm was intentionally pointed in or not with the intent to use deadly force and there is no way to know as it is not mentioned in Officer F's report. Conversely, it appears the firearm is partially pointed down and away from the subject at every point of individual frame viewed. Additionally, while Officer F does bring both hands together on the firearm as it is raised, their left hand never completes the gripping motion.[52] SPD

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[49] Supervisor C's Supervisor Review for 2025-20146107 (Sept 26, 2025).
[50] These elements are not all-inclusive nor direct quotes. For full context, refer to Supervisor C's Supervisor Review for 2025-20146107.
[51] *Id.* at 2.
[52] Officer F's BWC at 6:28.

does not require officers to document removing a firearm from a holster or raising a firearm momentarily, if there is no intentional pointing in.

Supervisor D

Supervisor D was the final reviewer and made the final determination on September 30, 2025.[53] Supervisor D makes final findings for Officer B's use of a TASER; Officer D's use of an impact weapon; Officer D's use of a TASER; Officer E's intentional pointing of a firearm; and Officer F's intentional pointing of a firearm.[54]

Recommendations

Current SPD policy does not define intentionally striking a pedestrian with a police vehicle as the use of Deadly Force.[55] Per the Collective Bargaining Agreement, "The policy recommendations that follow reflect the OPO's opinion on modifications that may assist the Department in reducing the likelihood of harm in the future; they do not reflect an opinion on individual job performance under the current policy.

Recommendations to Policy and/or Training

Clear policy language classifying intentional vehicle to person contact as deadly force benefits officers by providing a predictable, defensible framework for decision-making and post-incident review. Washington law defines "deadly force" as the intentional application of force by firearm or other means reasonably likely to cause death or serious physical injury.[56] SPD policy uses materially similar language. In that context, intentionally striking a person with a police vehicle constitutes force applied through a means reasonably likely to cause death or serious physical injury. Making that classification explicit would give officers clear notice of the governing threshold, reduce ambiguity across supervisors and units, and support consistent tactical decision making and documentation.

Explicit classification also supports officers by anchoring SPD practice to Washington's recommended framework and ensuring predictable activation of existing reporting and review

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

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

[56] *See* RCW 9A.16.010(2), https://app.leg.wa.gov/RCW/default.aspx?cite=9A.16.010.

processes. The Washington Attorney General's Office Model Use of Force Policy specifically identifies deadly force to include intentionally striking with a vehicle a person who is not inside a vehicle,[57] and Washington law recognizes a vehicle may function as a deadly weapon depending on how it is used.[58] Consistent designation would help prevent intentional strikes from being treated as collisions or lower level uses of force, route the event through the appropriate deadly force safeguards and review pathways, and promote complete, accurate records that can explain officer decision making when the deadly force standard is met.

Applicable Policy[59]

In order to do this, I recommend that SPD specifically define intentionally striking or attempting to strike a pedestrian with a police vehicle clearly as deadly force in Policy 301.2 Definitions; clarify Policy 301.8 Prohibited Force Tactics; as well as update Policy 301.10 Reporting and Policy and 301.11 Notifications. Policy should also be updated to include how this specifically applies in operations, so it is not treated like a forcible stop tool aimed at people. Policy 314 Vehicle Pursuit Policy is written to manage vehicle-to-vehicle forcible stops such as blocking, boxing, PIT, ramming, and roadblocks. Policy 302 Use of Force and Deadly Force Administrative Review and Policy 310 Investigations of Applications of Deadly Force should be modified to guarantee review and investigation, and Policy 502 Traffic Collision Investigations should be adjusted to prevent mishandling of these incidents as collisions.

Definitions

Policy 301 should be updated to expressly state that intentionally striking a person with a vehicle, or attempting to do so, is deadly force in keeping with the Washington State AGO, Model Use of Force Policy.[60] This can be done in the Definitions section[61] and/or When Deadly Force is Authorized.[62]

The Prohibited Force Tactics[63] section currently states in the second paragraph "A vehicle is not considered a deadly weapon unless the operator is using the vehicle as a deadly weapon and no other reasonable means to avoid potential serious harm are immediately available to the officer." This should be clarified to also include that using a vehicle as a weapon must be governed as deadly force. This will reduce the risk that the most hazardous impact tactic is governed by a lower-force standard.

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[57] *See* Washington AGO, Model Use of Force Policy PDF, p. 10. https://agportal-s3bucket.s3.amazonaws.com/uploadedfiles/Another/UOF%20Model%20Policies_070122_FINAL_0.pdf
[58] *See* RCW 10.120.020(2), https://app.leg.wa.gov/RCW/default.aspx?cite=10.120.020
[59] Due to the length of these SPD policies, they are not attached to this report. The current SPD policy manual is available at https://static.spokanecity.org/documents/police/accountability/police-policy-manual-2026-01-28.pdf
[60] Washington AGO, Model Use of Force Policy PDF, p. 10.
[61] Policy 301.2
[62] Policy 301.6
[63] Policy 301.8

The Reporting[64] and Notifications[65] sections should be adjusted to require a deadly force report and supervisor notification for intentional vehicle strikes, even without injury or complaint. Add intentional vehicle to person contact or attempted contact to the list of supervisor notifications and Blue Team reporting requirements similar to the deadly force reporting pathway. This will match that some tools must be reported regardless of effect (ex. an officer involved shooting even if no injury is reported) and would ensure a consistent process of near-miss or low-injury events that still meet the deadly force definition.

Recommendation 26-01: SPD should update Policy 301 to define intentionally striking a pedestrian with a police vehicle is expressly designated as a use of deadly force. I further recommend updating section 301.8 Prohibited Force Tactics, section 301.10 Reporting, and section 301.11 Notifications.

Policy Ambiguity and Risk of Inconsistent Force Classification

The Pursuit Policy[66] already recognizes that certain vehicle tactics such as ramming and roadblocks may be considered a use of deadly force[67] and it contains detailed standards and supervisory controls for those tactics. However, it currently designates using a vehicle to stop a fleeing bicyclist as an intermediate level of force and refers to as a collision even though the policy tells the officer to analyze the incident through a Graham vs. Connor lens with emphasis on whether the suspect poses an immediate threat to the safety of the officers or others.[68]

This creates a potential gap as blocking (intermediate force) can become striking (deadly force) depending on speed/angle/intent and the person's vulnerability. This should be clear in policy. Because vehicle-to-person contact occurred twice in this incident without injury and was described as low speed/pinning, it exemplifies the classification ambiguity.

Recommendation 26-02: Policy 314 should be clarified to include that vehicle maneuvers intended to block or contain may be considered intermediate force, but intentional impact directed at a person (pedestrian or bicyclist) is considered deadly force and must meet the necessity standard and handled through the deadly force reporting and investigation pathways.

[64] Policy 301.10
[65] Policy 301.11
[66] Policy 314
[67] Policy 314.7.2
[68] Policy 314.11

Review and Investigation

Policy 302[69] and Policy 310[70] already set forth the protocols used in deadly force incidents. The policies are already designed to treat deadly force as deadly force whether injury occurs or not. The Deadly Force Review Board (DFRB) will review all applications of deadly force, whether injury or death occurs.

Policy 301.2 states that the department adheres to the Spokane Independent Investigative Response (SIIR) for investigating use of deadly force (WAC 139-12 Law Enforcement Training and Community Safety Act). Policy 310 includes important due process rights for involved officers and assigns responsibilities after an "officer-involved use of deadly force," including notification timelines[71] to the Washington State Office of Independent Investigation (OII). This notification is immediate if the action results in death, substantial bodily harm, or great bodily harm. However, the policy includes a 72-hour notification window for an "intentional application of force… reasonably likely to cause death or serious physical injury" where no injury occurs.

Recommendation 26-03: SPD should update Policy 302 Use of Force and Deadly Force Administrative Review and Policy 310 Investigations of Deadly Force to ensure that an intentional vehicle strike or an attempted vehicle strike falls within the deadly force protocols including officer due process rights, SIIR/IA/OII investigations, and review by a Deadly Force Review Board.

Collision Review

There is some potential ambiguity in the policy for Traffic Collision Investigations.[72] The policy currently states that non-injury collisions involving department vehicles shall be investigated by a traffic officer, or a traffic technician; if they are unavailable, by a properly trained non-involved officer with supervisor approval. This structure is appropriate for accidents and routine collisions.

It is also noted that some intentional vehicle interventions such as a pit maneuver are also routinely reviewed by the Collision/Pursuit Review Board. Changes to classifications of using a vehicle as a force tool will need some clarity. Collisions involving department vehicles are usually classified as preventable or non-preventable. Forcible stops using a vehicle have their own category in Blue Team and their findings are "in compliance with policy" and "not in compliance with policy." They are still reviewed under the collision umbrella. With the AGO's Model Policy classifying vehicle strikes against persons as deadly force, it would make sense that all intentional actions with a vehicle should be regarded as force and reviewed under force criteria.

[69] Use of Force and Deadly Force Administrative Review
[70] Investigations of Applications of Deadly Force
[71] Policy 310.4.3
[72] SPD Policy 502

<u>Recommendation 26-04</u>: SPD Policy 502 should be updated to explicitly state that any collision involving intentional vehicle contact used to stop, control, or apprehend a person is governed primarily as a use of force. When intentional vehicle contact is made against a person, it is treated as a deadly force incident involving officer due process rights, SIIR/Internal Affairs (IA)/OII investigations, and a DFRB review.

Summary of Recommendations

1. **Recommendation 26-01:** SPD should update Policy 301 to define intentionally striking a pedestrian with a police vehicle is expressly designated as a use of deadly force. I further recommend updating section 301.8 Prohibited Force Tactics, section 301.10 Reporting, and section 301.11 Notifications.
2. **Recommendation 26-02:** Policy 314 should be clarified to include that vehicle maneuvers intended to block or contain may be considered intermediate force, but intentional impact directed at a person (pedestrian or bicyclist) is considered deadly force and must meet the necessity standard and handled through the deadly force reporting and investigation pathways.
3. **Recommendation 26-03:** SPD should update Policy 302 Use of Force and Deadly Force Administrative Review and Policy 310 Investigations of Deadly Force to ensure that an intentional vehicle strike or an attempted vehicle strike falls within the deadly force protocols including officer due process rights, SIIR/IA/OII investigations, and review by a Deadly Force Review Board.
4. **Recommendation 26-04:** SPD Policy 502 should be updated to explicitly state that any collision involving intentional vehicle contact used to stop, control, or apprehend a person is governed primarily as a use of force. When intentional vehicle contact is made against a person, it is treated as a deadly force incident involving officer due process rights, SIIR/Internal Affairs (IA)/OII investigations, and a DFRB review.