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February 18, 2011

## Public Safety Committee Report

*Reporting Period: January 15, 2011 through February 17, 2011*

### CONTACTS

Since January 1, 2011, there have been 74 contacts received by the Office of Police Ombudsman.

Between January 15 and February 17, 2011, the Office was contacted 54 times.

### COMPLAINTS

Between January 15 and February 17, 2011, 9 complaints were received.

1. Tuesday, January 25, 2011: A **Harassment** complaint was received by the Police Ombudsman at the Office of Police Ombudsman. The Complainant advised that an Officer entered their residence without permission and then falsely accused them of assaulting another person (**OPO #11-07**).
2. Thursday, January 27, 2011: A **Discrimination** complaint was received by the Police Ombudsman at the Office of Police Ombudsman. The Complainant advised that they have a hearing disability. They advised that another individual who was attempting to obtain a court order against the Complainant used inaccurate information provided by the police department. The Complainant was also concerned that the police department's policy regarding interactions with those with hearing impairments or disabilities of hearing disabilities is outdated (**OPO #11-08**).
3. Saturday, January 29, 2011: A **Harassment** complaint was received by the Police Ombudsman at the Office of Police Ombudsman. The Complainant advised that their former spouse falsely accused them of sexually abusing their 2 young children in 2007 and 2008. The Complainant advised that they passed a polygraph exam in 2009 regarding the incident. The Complainant advised the police department is harassing them by continuing to investigate the complaint and by not doing a comprehensive investigation (**OPO #11-09**).
4. Monday, February 07, 2011: A **Perjury** complaint was received by the Office of Police Ombudsman via mail. The Complainant alleges that an Officer lied while providing testimony in Court (**OPO #11-10**).
5. Tuesday, February 08, 2011: An **Inadequate Response** complaint was received by the Police Ombudsman at the Office of Police Ombudsman. The Complainant alleges that

members of the Spokane Police Department failed to conduct a thorough investigation of a Spokane County Sheriff's Office Critical Incident through the Critical Incident protocol (OPO #11-11).

6. Wednesday, February 09, 2011: An **Excessive Force** complaint was received by the Police Ombudsman via telephone. The Complainant resides in Montana. The Complainant alleges that Officers used excessive force in the arrest of one of their parents who was arrested for Driving Under the Influence and Hit and Run (OPO #11-12).
7. Wednesday, February 09, 2011: An **Inadequate Response** complaint was received by the Office of Police Ombudsman via telephone. The Complainant advised that they called 9-1-1 regarding an individual who was argumentative and bumped them as they walked past each other. The Complainant advised the police department did not respond to the call (OPO #11-13).
8. Monday, February 14, 2011: An **Excessive Force** complaint was received by the Office of Police Ombudsman. The Complainant advised that they received minor injuries when officers arrested them. The complainant is a juvenile. Details will be withheld because of the complainant's age (OPO #11-14).
9. Wednesday, February 16, 2011: An **Inadequate Response** complaint was received by the Assistant to the Police Ombudsman via telephone. The Complainant advised that after a suspicious individual drove by their residence and pointed their fingers at the Complainant simulating a gun they called Crime Check and Crime Check refused to take a report or issue the Complainant an event number (OPO #11-15).

Between January 15 and February 17, 2011, 1 complaint was referred.

1. Tuesday, February 1, 2011: An Inadequate Response inquiry was received by the Assistant to the Police Ombudsman by telephone. The Complainant resides out-of-town but owns rental property in Spokane. The Complainant advised that they paid for an eviction and were displeased with the eviction service. The Complainant alleges that the police department is refusing to enforce the eviction which led to appliances being stolen from the apartment. The Spokane County Sheriff's Office is responsible for evictions therefore the complaint was referred to the Sheriff's Office.

#### **INVESTIGATIONS CERTIFIED**

Between January 15, and February 17, 2011, 02 investigations were certified as timely, thorough and objective:

1. Monday, February 07, 2011: A **Demeanor** complaint was received by the Office of Police Ombudsman on Tuesday, December 14, 2010. The Complainant advised that an Officer trespassed onto their property to contact a friend who was visiting and had been involved in an earlier altercation with another neighbor. The Complainant advised that the officer made disparaging comments to them during their conversation. The Office of

Police Ombudsman confirms that the investigation was completed through a timely, thorough and objective process.

2. Saturday, February 12, 2011: A **Driving with Accident** complaint was received by the Internal Affairs Unit on Tuesday, December 7, 2010. This complaint was internally generated after an officer who was responding to an emergency call was involved in a traffic accident. The Office of Police Ombudsman confirms that the investigation was completed through a timely, thorough and objective process.

## **DECLINED CERTIFICATIONS**

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None

## **INTERVIEWS**

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- **Internal Affairs, Officer Interviews: 3**
- **Internal Affairs Complainant Interviews: 3**
- **Internal Affairs, Witness Interviews: 2**
  
- **Office of Police Ombudsman Complainant Interviews: 10**
- **Office of Police Ombudsman Witness Interviews: 3**
  
- **Closing (Complaint Closure) Interviews: 5**

## **OTHER DUTIES**

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### **Critical Incident Responses: 2**

1. On Sunday, January 16, 2011 at approximately 5:38 am I was contacted by Lieutenant Meidl and advised that an individual had been shot and killed by an officer who had responded to a domestic violence call for service at 5726 N. Elgin. At the time of this incident I was out of town on vacation. I made arraignments to be briefed and provided with a drive by of the location of occurrence upon my return to Spokane.
2. On Sunday, January 30, 2011 at approximately 10:40 pm I was contacted by Sergeant McCabe and advised that a pedestrian had been struck by a patrol car at the intersection of Monroe and Montgomery while the officer was responding to a call for service. I met with Sergeant McCabe and we responded to the scene where I was briefed on the incident and provided with a view of the scene.

### **Cases Resolved Through Mediation: 0**

### **Recommendations: 1**

Recognizing that most police vehicles and personnel appear similar in appearance the Ombudsman has recommended to the Police Administration that the 3 digit numbers assigned to

patrol vehicles which are currently located on the windshields and rear windows of the vehicles also be placed on the front and rear bumpers of all patrol vehicles in a conspicuous location, in a 4" to 6" in height reflective material, to assist in identifying personnel when necessary.

The numbers on the windshield and rear windows of the patrol cars are difficult to see when dark and it is not reasonable to assume that in every instance someone may be able to remember a license plate number assigned to a patrol vehicle.

## **NEXT STEPS**

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- Presentation of the 2010 Office of Police Ombudsman Annual Report to the Spokane City Council on Monday, March 7, 2011 at 6 pm.
- Recruitment of a student intern.
- Placement of the Critical Incident Protocol on the Office of Police Ombudsman website.

## **COMMUNITY OUTREACH**

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- Thursday, February 17, 2011: Northwest Neighborhood Council Meeting (7p-830p)
- Thursday, February 17, 2011: Spokane Police Department Awards Ceremony (6p-645p)
- Wednesday, February 15, 2011: Hillyard neighborhood Council Meeting (630p-715p)
- Wednesday, February 16, 2011: Whitman neighborhood Council Meeting (6p-630p)
- Tuesday, February 15, 2011: Junior Achievement Day at Holmes Elementary School (8a-3p)
- Monday, February 14, 2011: Spokane City Council Meeting (6p-730p)
- Friday, February 11, 2011: Spokane Community College Criminal Justice class Guest Speaker (915-12n)
- Thursday, February 10, 2011: Cliff Cannon Neighborhood Council Meeting (7p-8p)
- Wednesday, February 09, 2011: West Central Neighborhood Council Meeting (8p-9p)
- Wednesday, February 09, 2011: Emmerson Garfield Neighborhood Council Meeting (630p-8p)
- Tuesday, February 8, 2011: Preventing Violence, our Responsibility Meeting (6p-830p)
- Monday, February 7, 2011: Spokane City Council Meeting (6p-730p)
- Saturday, February 05, 2011: Gonzaga Student Interview (2p-3p)
- Friday, February 04, 2011: The NATIVE Project, Pow Wow for the Heart (6p-830p)
- Friday, February 04, 2011: STA Main Terminal (1p-230p)
- Wednesday, February 02, 2011: Browne's Addition Neighborhood Council Meeting (630p-8p)
- Wednesday, February 02, 2011: Radio Station KYRS interview (12n-1p)
- Monday, January 31, 2011: Spokane City Council Meeting (6p-730p)
- Monday, January 31, 2011: The NATIVE Project, Youth presentation (345p-530p)
- Monday, January 31, 2011: Spokesman review interview (10a-11a)
- Thursday, January 27, 2011: Manito Cannon Hill Neighborhood Council Meeting (7p-9p)
- Tuesday, January 25, 2011: Human Rights Commission Meeting (530p-7p)
- Monday, January 24, 2011: Spokane City Council Town hall meeting (6p-730p)

## **OTHER**

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None.

## **2011 OVERVIEW**

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**Complaints Received:** Since January 1, 2011, 15 complaints have been received by the Office of Police Ombudsman and forwarded to Internal Affairs. The complaints were for:

- 1 Demeanor
- 1 Discrimination
- 2 Excessive Force
- 3 Harassment
- 6 Inadequate Response
- 1 Perjury
- 1 Records Request/Driving

**Complaints Referred:** Since January 1, 2011, two complaints has been referred to the following agencies:

- Two complaints have been referred to the Spokane County Sheriff's Office.