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POLICE OMBUDSMAN  
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October 14, 2011

## Public Safety Committee Report

Reporting Period: September 16, 2011 through October 13, 2011

### CONTACTS

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Between September 16, 2011 and October 13, 2011 the Office was contacted **46** times.

Since January 1, 2011, there have been **383** contacts received by the Office of Police Ombudsman.

### COMPLAINTS

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Between September 16, 2011 and October 13, 2011 **13** complaints were received.

1. Monday, September 19, 2011: An **Inadequate Response** complaint was received by the Office of Police Ombudsman. The Complainant advised that the police department failed to adequately investigate a domestic violence incident that occurred between the Complainant's former spouse and their teenage child (**OPO 11-51**).
2. Tuesday, September 20, 2011: An **Inadequate Response** complaint was received by the Office of Police Ombudsman. The Complainant advised the police department failed to adequately investigate a domestic violence complaint they were the victim of (**OPO 11-52**).
3. Tuesday, September 20, 2011: An **Inadequate Response** complaint was received by the Office of Police Ombudsman. The Complainant claimed to be a victim of elder abuse. The Complaint advised that a local physician refused to treat the Complainant's medical condition and that when they reported the incident the police department refused to take action (**OPO 11-53**).
4. Thursday, September 22, 2011: An **Inadequate Response** complaint was received by the Office of Police Ombudsman. The Complainant advised that the police department failed to adequately investigate the theft of their vehicle after the vehicle was left with a local automotive repair business and that business suddenly closed, keeping the Complainant's vehicle (**OPO 11-54**).
5. Thursday, September 22, 2011: An **Inadequate Response** complaint was received by the Office of Police Ombudsman. The Complaint advised they were assaulted and provided the identity, photographs, and video of the assailants and the encounter. The Complainant alleged that the police department refused to thoroughly investigate the incident. The Complaint inferred that the case is not being followed up on because the assailants are a local prominent realtor and attorney (**OPO # 11-55**).

6. Tuesday, September 27, 2011: An **Inadequate Response** and **Theft** complaint was received by the Office of Police Ombudsman. The Complainant advised that an Officer was uncooperative in assisting the Complainant in bringing a nuisance rental property they own into compliance. Once the residence was boarded and no longer a nuisance the Complainant alleged that the Officer took a 'For Sale' sign from the property without permission (**OPO 11-56**).
7. Wednesday, September 28, 2011: A **Harassment** complaint was received by the Office of Police Ombudsman. The Complainant alleged that Officers followed the Complainant into a Courtroom and sat next to them for no apparent reason while the Complainant waited to conduct business with the Court. The Complainant advised that when they left the Officers followed them out of the Courtroom (**OPO 11-57**).
8. Thursday, September 29, 2011: An **Excessive Force** complaint was received by the Office of Police Ombudsman. The Complainant alleged that their wrists were hurt after they were detained and handcuffed. The Complainant advised that they injured their head when it hit the pavement as police removed the Complainant from a police car to restrain the Complainant's legs (**OPO 11-58**).
9. Tuesday, October 11, 2011: An **Inadequate Response** complaint was received by the Office of Police Ombudsman. The Complainant alleged that Officers failed to adequately investigate an incident in which the Complainant was assaulted. The Complaint advised that they were not able to get the information from the police department that they required to get a protection order against their assailant (**OPO 11-59**).
10. Tuesday, October 11, 2011: An **Excessive Force** complaint was received by the Office of Police Ombudsman. The Complainant advised that they were involved in an altercation at a local bar and injured by the establishment's staff. The Complainant alleged that, without provocation, a responding Officer forcefully pushed them and caused further injury to the Complainant (**OPO 11-60**).
11. Tuesday, October 11, 2011: An **Inadequate Response** complaint was received by the Office of Police Ombudsman. The Complainant heard a local business employee make inappropriate comments to some teenagers. The Complainant called to make a report but when police responded no enforcement action was taken. The Complainant is a frequent reporter (**OPO 11-61**).
12. Wednesday, October 12, 2011: An **Inadequate Response** complaint was received by the Office of Police Ombudsman by telephone. The Complainant advised that they called 9-1-1 for help after feeling suicidal and agreed to be voluntarily transported to a local hospital for treatment. The Complainant met the officer with the Complainant's house cat that was contained in a carrier. The Complainant alleged that, after transporting the Complainant to a local hospital, the officer took the cat back to the Complainant's residence and released the cat outside to fend for itself (**OPO 11-62**).

13. Wednesday, October 12, 2011: An **Inadequate Response** complaint was received by the Police Ombudsman during a Neighborhood Council meeting. The Complainant advised that police declined to respond to a suspicious person call when the Complainant detained an individual they thought was in possession of stolen property. The Complainant advised that police previously had refused to respond and assist them in the recovery of a stolen motorcycle trailer they located two weeks after reporting the trailer stolen (**OPO 11-63**).

Between September 16, 2011 and October 13, 2011 3 complaints were referred.

1. Monday, September 19, 2011: An **Inadequate Response** complaint regarding a domestic violence incident involving the Spokane Valley Police was forwarded to the Sheriff's Office for investigation.
2. Tuesday, September 20, 2011: A complaint regarding a forced **Business Closure** by the Spokane County Sheriffs Office was forwarded to the Sheriff's Office for investigation.
3. Monday, September 26, 2011; A **Privacy** complaint/ request for information regarding the Spokane County Sheriff's Office use of the helicopter was forwarded to the Sheriff's Office for response.

#### **INVESTIGATIONS CERTIFIED**

Between September 16, 2011 and October 13, 2011 4 investigations were certified as timely, thorough and objective:

1. Thursday, September 22, 2011: On August 5, 2011 a Patrol Sergeant received a **Demeanor** complaint against an Officer investigating a domestic violence call for service. The complaint was investigated through the Officer's Chain of Command. The Complainant alleged that an Officer used an ethnic slur while speaking with the Complainant. The Ombudsman confirms that the investigation was completed through a timely, thorough and objective process.
2. Tuesday, September 27, 2011: On August 1, 2011 the Office of Police Ombudsman received an **Excessive Force** and **Inadequate Response** complaint. The complaint was assigned to the Internal Affairs Unit for investigation. The Complainant alleged that while they were being arrested they were injured when an Officer struck them in the back of the head with a blunt object causing them to lose consciousness and strike the pavement face first. The Ombudsman confirms that the investigation was completed through a timely, thorough and objective process (**OPO 11-41**).
3. Tuesday, September 27, 2011: On July 18, 2011 the Internal Affairs Unit received an **Excessive Force** complaint. The complaint was investigated by the Internal Affairs Unit. The Complainant alleged that an Officer shoved them into a tree after a verbal confrontation with perimeter Officers while they stood near a barricaded during SWAT action. The Ombudsman confirms that the investigation was completed through a timely, thorough and objective process.

4. Saturday, October 1, 2011: On July 20, 2011 an internal complaint was generated against an Officer for **Abuse of Sick Leave**. The complaint alleged that an Officer went to a lake after having called in sick. The Ombudsman confirms that the investigation was completed through a timely, thorough and objective process.

## **DECLINED CERTIFICATIONS and APPEALS**

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There were no declined certifications during the reporting period.

There were no appeals during the reporting period.

## **INTERVIEWS**

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- Internal Affairs, Officer Interviews: 9
- Internal Affairs Complainant Interviews: 1
- Internal Affairs, Witness Interviews: 1
  
- Office of Police Ombudsman Complainant Interviews: 13
- Office of Police Ombudsman Witness Interviews: 1
  
- Closing (Complaint Closure) Interviews: 0

## **OTHER DUTIES**

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**Critical Incident Response:** 1 critical incident occurred during the reporting period.

1. On Monday, September 26, 2011 at 859 pm the Police Ombudsman was notified of an Officer involved shooting in the area of Sherman and 7<sup>th</sup> Ave. The Ombudsman responded to the scene with the Internal Affairs Lieutenant for a preliminary briefing.

At 326 am on Tuesday, September 27, 2011 the Ombudsman and Lieutenant returned to the location for a tour and further explanation of the incident.

The Spokane Investigative Regional Response (SIRR) team is conducting an investigation into the circumstances of the individual's death.

**Cases Resolved Through Mediation:** No complaints were resolved through the mediation process during the reporting period.

**Recommendations:** No recommendations were made during the reporting period

## **NEXT STEPS**

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- Hiring of Assistant to the Police Ombudsman position that is currently vacant.
- Completion of a Student Handbook for interacting with Law Enforcement
- Launch of OPO Facebook page featuring updates on website features, reports, and events

## COMMUNITY OUTREACH

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- Thursday, October 13, 2011: North Hill Neighborhood Council Meeting (7p-830p)
- Wednesday October 12, 2011: West Central Neighborhood Council Meeting (630p-830p)
- Wednesday, October 12, 2011: Jane Jefferson Club Guest Speaker (12n-1230p)
- Tuesday, October 11, 2011: 6<sup>th</sup> Legislative District Guest Speaker (6p-7p)
- Friday, October 7, 2011: STA Main Terminal (1p-4p Intern)
- Tuesday, September 27, 2011: Spokane Parks and Recreation Commission Meeting (6p-730p)
- Monday, September 26, 2011: Spokane City Council Meeting and OPO Presentation (6p-9p)
- Monday, September 26: KXLY Radio Interview (245p-330p)
- Saturday, September 24, 2011: Community Assembly, Annual Retreat, East Central Community Center (9a-230p)
- Wednesday, September 21, 2011: Hillyard GHNEPA Meeting (7p-8p)
- Tuesday, September 20, 2011: East Central Neighborhood Council Meeting (645p-830p)
- Monday, September 19, 2011: Spokane City Council, Town Hall Meeting, Northeast Community Center (6p-730p)
- Friday, September 16, 2011: The NATIVE Project (1p-5p)

## OTHER

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- Sunday, September 25, 2011: SPD Ride Along (6a-4p)
- Friday, September 23, 2011: The Office of Police Ombudsman received an online Commendation/ Compliment from an individual thanking an Officer for the way the Officer dealt with their child after the child's scooter was stolen.
- SPD received 18 Automatic External Defibrillators (AEDs) through the Metropolitan Medical Response System grant process. The devices have been provided to Corporals and Spokane Police Department has agreed to respond to cardiac arrest calls for service when officers are close to the scene and committed or obligated to urgent law enforcement matters.

## 2011 OVERVIEW

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**Complaints Received:** Since January 1, 2011, 62 complaints have been received by the Office of Police Ombudsman and forwarded to Internal Affairs. The complaints were for:

- 9 Demeanor
- 1 Discrimination
- 5 Excessive Force
- 7 Harassment
- 36 Inadequate Response
- 1 Perjury
- 1 Records Request/Driving
- 1 Records Request
- 1 Racial Bias

**Complaints Referred:** Since January 1, 2011, **21** complaints have been referred to the following agencies:

- **15** complaints have been referred to the Spokane County Sheriff's Office.
- **2** complaints were referred to Internal Affairs due to OPO-implemented one-year statute of limitations or conflict-of-interest
- **1** complaint was referred to the Okanogan County Sheriff's Office
- **1** complaint was referred to the Pend Oreille County Sheriff's Office
- **1** complaint was referred to the Airway Heights Police Department
- **1** complaint was referred to Crime Complaint Check
- **1** complaint was referred to the Spokane C.O.P.S.

## **ATTACHMENTS**

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- Ombudsman Facebook page screen capture



## Wall

Info

Photos

## About

The Office of Police Ombudsman provides independent civilian oversight for misconduct complaints involving members of the Spokane Police Department. Follow us on Facebook to receive notifications for our most recent events, reports, and website features.

4

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## City of Spokane Office of Police Ombudsman

Through his membership with the National Association for Civilian Oversight of Law Enforcement (NACOLE), the Ombudsman is able to stay up-to-date on oversight best practices used throughout the nation.

Want to stay informed too? Visit the 'Links' portion of our website to sign-up for NACOLE's free Police Oversight Email Group.

## Spokane Police Ombudsman

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

On October 6, 2008 The Office of Police Ombudsman was established to provide independent civilian oversight for Spokane Police Department conducted-related matters. The Police Ombudsman's duty is to ensure that investigations are timely, thorough and objective.

Like · Comment · Tuesday at 10:44am ·



## City of Spokane Office of Police Ombudsman

Don't miss Ombudsman Burns' monthly activity update to the Spokane City Council at 6 PM this evening on City Cable 5. We will also be debuting our first Mid Year Report which summarizes select OPO and SPD data for the first six months of 2011. Can't wait? Read it here now...

## Office of Police Ombudsman 2011 Mid Year Report

[www.spdombudsman.com](http://www.spdombudsman.com)

The Office of Police Ombudsman mid year report provides information about police misconduct complaints. The report presents data on the number and classification of OPO complaints filed, with a comparison to the previous year. There are charts showing the percentage of cases closed with different by...

Like · Comment · September 26 at 11:57am ·



## City of Spokane Office of Police Ombudsman

Ombudsman Tim Burns recently sat down with Comcast Newsmakers to talk about Office of Police Ombudsman activities and services... watch it here now or stay tuned on your Comcast channels throughout September!



## Comcast Newsmakers in WA

[www.youtube.com](http://www.youtube.com)

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## City of Spokane Office of Police Ombudsman

Ombudsman intern Scott Richter representing the Office of Police Ombudsman at the Inland Northwest's largest multicultural celebration, Unity in the Community, on August 20, 2011.

